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A HISTORY OF THE AMERICAN PEOPLE

BY

WOODROW WILSON, PH.D., LITT.D., LL.D.

DOCUMENTARY EDITION

IN TEN VOLUMES

VOL. IV.

Colonies and Nation

GEORGE WASHINGTON

(From the portrait by Rembrandt Peale in the Vice-President's Room at the Capitol, Washington)

DOCUMENTARY EDITION

A HISTORY OF THE AMERICAN PEOPLE

BY

WOODROW WILSON, PH.D., LITT.D., LL.D.
PRESIDENT OF THE UNITED STATES

ENLARGED BY THE ADDITION OF ORIGINAL SOURCES AND LEADING DOCUMENTS OF AMERICAN HISTORY INCLUDING NARRATIVES OF EARLY EXPLORERS, GRANTS, CHARTERS, CONCESSIONS, TREATIES, REVOLUTIONARY DOCUMENTS, STATE PAPERS, PROCLAMATIONS AND ENACTMENTS

ILLUSTRATED WITH CONTEMPORARY VIEWS, PORTRAITS, FACSIMILES AND MAPS SELECTED FROM RARE BOOKS AND PRINTS

IN TEN VOLUMES
VOLUME IV

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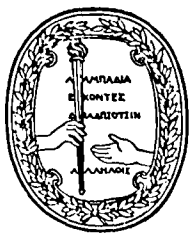

HARPER & BROTHERS PUBLISHERS
NEW YORK AND LONDON

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A HISTORY OF THE AMERICAN PEOPLE

DOCUMENTARY EDITION

PART I.

A HISTORY OF THE AMERICAN PEOPLE

CHAPTER III

THE APPROACH OF REVOLUTION

THE ministers did persist, and there was revolution. Within less than a year from those memorable autumn days of 1773 when the East India Company's ships came into port with their cargoes of tea, the colonies had set up a Congress at Philadelphia which looked from the first as if it meant to do things for which there was no law; and which did, in fact, within less than two years after its first assembling, cut the bonds of allegiance which bound America to England. The colonists did not themselves speak or think of it as a body set up to govern them, or to determine their relations with the government at home, but only as a body organized for consultation and guidance, a general meeting of their committees of correspondence. But it was significant how rapidly, and upon how consistent and executive a plan, the arrangements for "correspondence" had developed, and how naturally, almost spontaneously, they had come to a head in this "Congress of Committees." There were men in the colonies who were as quick to act upon their instinct of leadership, and as apt and masterful at organization, as the English on the other side of the water who had checkmated Charles I.; and no doubt the thought of independent action, and even of aggressive resistance,

came more readily to the minds of men of initiative in America, where all things were making and to be made, than in old England, where every rule of action seemed antique and venerable. Mr. Samuel Adams had been deliberately planning revolution in Massachusetts ever since 1768, the year the troops came to Boston to hold the town quiet while Mr. Townshend's acts strangled its trade; and he had gone the straight way to work to bring it about. He knew very well how to cloak his purpose and sedulously keep it hid from all whom it might shock or dismay or alienate. But the means he used were none the less efficacious because those who acted with him could not see how far they led.

It was he who had stood at the front of the opposition of the Massachusetts assembly to the Stamp Act; he who had drafted the circular letter of Massachusetts to the other colonies in 1768 suggesting concert of action against the Townshend acts; he who had gone from the town meeting in Faneuil Hall to demand of Hutchinson the immediate removal of the troops, after the unhappy "massacre" of March, 1770; he who had led the town meeting which took effectual measures to prevent the landing of the tea from the East India Company's ships. No man doubted that his hand had been in the plan to throw the tea into the harbor. It was he who, last of all, as the troubles thickened, had bound the other towns of Massachusetts to Boston in a common organization for making and propagating opinion by means of committees of correspondence. It was late in 1772[1] when he proposed to the town meeting in Boston that the other towns of the colony be invited to co-operate with it in establishing committees of correspondence, by means of which they could exchange

[1] See page 201.

BOSTON, JUNE 22d, 1773.

SIR,

THE Committee of Correſpondence of the Town of *Boſton*, conformable to that Duty which they have hitherto endeavoured to diſcharge with Fidelity, again addreſs you with a very fortunate important Diſcovery; and cannot but expreſs their grateful Sentiments in having obtained the Approbation of ſo large a Majority of the Towns in this Colony, for their paſt Attention to the general Intereſt.

A more extraordinary Occurrence poſſibly never yet took Place in *America*; the providential Care of that gracious Being who conducted the early Settlers of this Country to eſtabliſh a ſafe Retreat from Tyranny for themſelves and their Poſterity in *America*, is again wonderfully interpoſed to bring to Light the Plot that had been laid for us by our malicious and inſidious Enemies.

Our preſent Governor has been exerting himſelf (as the honorable Houſe of Aſſembly have expreſſed themſelves in their late Reſolves) "by his ſecret confidential Correſpondence, to introduce Meaſures "deſtructive of our conſtitutional Liberty, while he has practiced every "method among the People of this Province, to fix in their Minds "an exalted Opinion of his warmeſt Affection for them, and his "unremitted Endeavours to promote their beſt Intereſt at the Court "of Great-Britain." This will abundantly appear by the Letters and Reſolves which we herewith tranſmit to you; the ſerious Peruſal of which will ſhew you your preſent moſt dangerous Situation. This Period calls for the ſtricteſt Concurrence in Sentiment and Action of every individual of this Province, and we may add, of THIS CONTINENT; all private Views ſhould be annihilated, and the Good of the Whole ſhould be the ſingle Object of our Purſuit—"By uniting we ſtand," and ſhall be able to defeat the Invaders and Violaters of our Rights.

We are,

Your Friends and humble Servants,

Signed by Direction of the Committee for Correſpondence in *Boſton*,

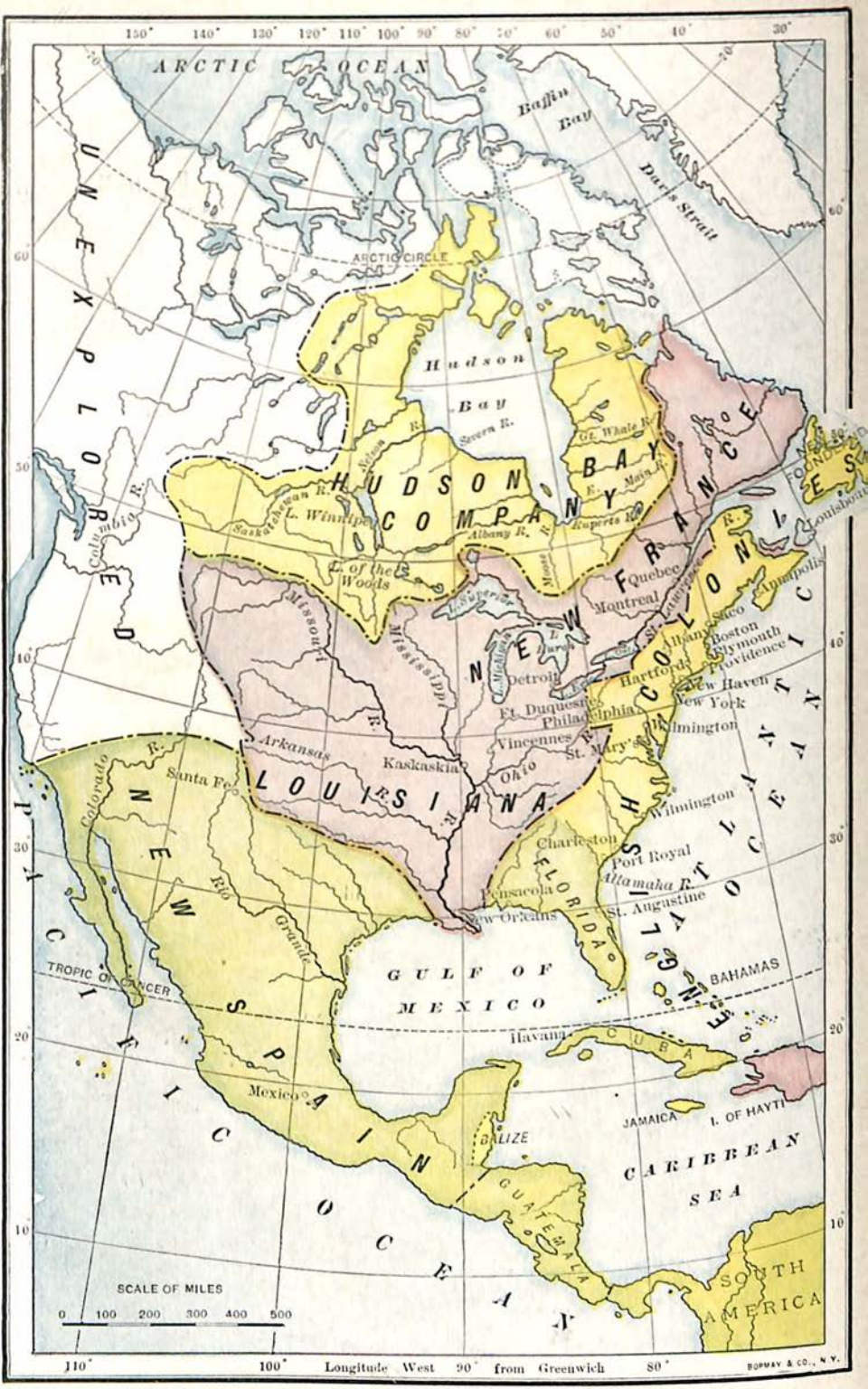
William Cooper } Town-Clerk.

To the Town-Clerk of , *to be immediately delivered to the Committee of Correſpondence for your Town, if ſuch a Committee is choſen, otherwiſe to the Gentlemen the Selectmen, to be communicated to the Town.*

CIRCULAR OF THE BOSTON COMMITTEE OF CORRESPONDENCE

views, and, if need were, concert action. The end of November had come before he could make Boston's initiative complete in the matter; and yet the few scant weeks that remained of the year were not gone before more than eighty towns had responded.

It turned out that he had invented a tremendously powerful engine of propaganda for such opinions and suggestions of action as he chose to put upon the wind or set afloat in his private correspondence,—as he had, no doubt, foreseen, with his keen appreciation of the most effectual means of agitation. Here was, in effect, a league of towns to watch and to control the course of affairs. There was nothing absolutely novel in the plan, except its formal completeness and its appearance of permanence, as if of a standing political arrangement made out of hand. In the year 1765, which was now seven years gone by, Richard Henry Lee had taken an active part among his neighbors in Virginia in forming the "Westmoreland Association," which drew many of the leading spirits of the great county of Westmoreland together in concerted resistance to the Stamp Act. Four years later (1769) the Burgesses of Virginia, cut short in their regular session as a legislature by a sudden dissolution proclaimed by their royal governor, met in Mr. Anthony Hay's house in Williamsburg and adopted the resolutions for a general non-importation association which George Mason had drawn up, and which George Washington, Mr. Mason's neighbor and confidant, read and moved. There followed the immediate organization of local associations throughout the little commonwealth to see to the keeping of the pledge there taken. Virginia had no town meetings; each colony took its measures



NORTH AMERICA 1750, SHOWING CLAIMS ARISING OUT OF EXPLORATION.

GEORGE III.

of non-importation and resistance to parliamentary taxation after its own fashion; but wherever there were Englishmen accustomed to political action there was always this thought of free association and quick and organized coöperation in the air, which no one was surprised at any time to see acted upon and made an instrument of agitation.

What made the Massachusetts committees of correspondence especially significant and especially telling in their effect upon affairs was that they were not used, like the "Westmoreland Association" or the non-importation associations of 1769, merely as a means of keeping neighbors steadfast in the observance of a simple resolution of passive resistance, but were employed to develop opinion and originate action from month to month,—dilatory, defensive, or aggressive, as occasion or a change of circumstances might demand. The non-importation associations had been powerful enough, as some men had reason to know. The determination not to import or use any of the things upon which Parliament had laid a tax to be taken of the colonies,—wine, oil, glass, paper, tea, or any of the rest of the list,—was not a thing all men had thought of or spontaneously agreed to. Certain leading gentlemen, like Mr. Mason and Colonel Washington, deemed it a serviceable means of constitutional resistance to the mistaken course of the ministry, induced influential members of the House of Burgesses to indorse it, and formed associations to put it into effect,—to see to it that no one drank wine or tea which had been brought in under Mr. Townshend's taxes. There was here no command of law,—only a moral compulsion. the "pressure of opinion"; but it was no light matter to be

censured and talked about by the leading people in your county as a person who defied the better sort of opinion and preferred wine and tea to the liberties of

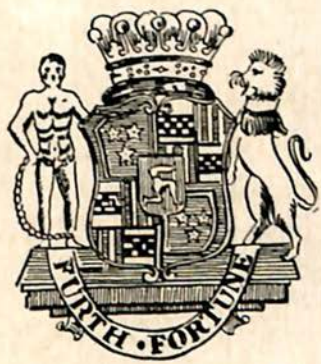
Geo. Mason GEORGE MASON

the colony. Associated opinion, spoken by influential men, proved a tremendous engine of quiet duress, and the unwilling found it prudent to conform. It was harder yet for the timid where active committees of

correspondence looked into and suggested opinion. Men could give up their wine, or women their tea, and still keep what opinions they pleased; but committees of correspondence sought out opinion, provoked discussion, forced men to take sides or seem indifferent; more than all, saw to it that Mr. Samuel Adams's opinions were duly promulgated and established by argument.

Men thought for themselves in Massachusetts, and Mr. Adams was too astute a leader to seem to force opinions upon them. He knew a better and more certain way. He drew Mr. Hutchinson, the governor, into controversy, and provoked him to unguarded heat in the expression of his views as to the paramount authority of Parliament and the bounden duty of the colonists to submit if they would not be accounted rebels. He let heat in the governor generate heat in those who loved the liberty of the colony; supplied patriots with arguments, phrases, resolutions of right and privilege; watchfully kept the fire alive; forced those who were strong openly to take sides and declare themselves, and those who were weak to think with their neighbors; infused agitation, disquiet, discontent, dissonance of opinion into the very air; and let everything that was being said or done run at once from town to town through the ever talkative committees of correspondence. He sincerely loved the liberty to which America had been bred; loved affairs, and wanted nothing for himself, except the ears of his neighbors; loved the air of strife and the day of debate, and the busy concert of endless agitation; was statesman and demagogue in one, and had now a cause which even slow and thoughtful men were constrained to deem just.

The ministers supplied fuel enough and to spare to keep alive the fires he kindled; and presently the system of committees which he had devised for the towns of a single colony had been put into use to bring the several colonies themselves together. Opinion began to be made and moved and augmented upon a great scale. Spontaneous, no doubt, at first, at heart spontaneous always, it was elaborately, skilfully, persistently assisted, added to, made definite, vocal, universal,—now under the lead of men in one colony, again under the lead of those in another. Massachusetts, with her busy port and her noisy town meetings, drew the centre of the storm to herself; but the other colonies were not different in temper. Virginia, in particular, was as forward as Massachusetts. Virginia had got a new governor out of England early in 1772, John Murray, Earl of Dunmore, who let more than a year go by from his first brief meeting with the Burgesses before he summoned them again, because he liked their lack of submission as little as they liked his dark brow and masterful temper; but he suffered them to convene at last, in March, 1773, and they forthwith gave him a taste of their quality, as little to his palate as he could have expected.



SEAL OF DUNMORE

It was in June, 1772, while the Virginian burgesses waited for their tardy summons to Williamsburg that his Majesty's revenue cutter *Gaspee* was deliberately boarded and burned by the Rhode Islanders. The Bur-

Dunmore

EARL OF DUNMORE

gesses had but just assembled in the autumn when the ominous news came that a royal commission had been sent over to look sharply into the matter, and see to the arrest and deportation of all chiefly concerned. Dabney Carr, Patrick Henry, Richard Henry Lee, and Thomas Jefferson, young men all, and radicals, members of the House, privately associated themselves for the concert of measures to be taken in the common cause of the colonies. Upon their initiative the Burgesses resolved, when the news from Rhode Island came, to appoint at once a permanent committee of correspondence; instruct it to inquire very particularly into the facts about this royal commission; and ask the other colonies to set up similar committees, for the exchange of information concerning public affairs and the maintenance of a common understanding and concert in action. By the end of the year Massachusetts, Rhode Island, Connecticut, New Hampshire, and South Carolina had adopted the suggestion and set their committees to work.

Massachusetts, of course. This was Mr. Samuel Adams's new machinery of agitation upon a larger scale. Adams himself had long cherished the wish that there might be such a connection established between the colonies. In the autumn of 1770 he had induced the Massachusetts assembly to appoint a committee of correspondence, to communicate with Mr. Arthur Lee, of Virginia, the colony's agent in London, and with the Speakers of the several colonial assemblies; and though the committee had accomplished little or nothing, he had not been discouraged, but had written the next year to Mr. Lee expressing the wish that "societies" of "the most respectable inhabitants"

THE ATTACK ON THE "GASPEE"

might be formed in the colonies to maintain a correspondence with friends in England in the interest of colonial privilege. "This is a sudden thought," he said, "and drops undigested from my pen"; but it must have seemed a natural enough thought to Mr. Lee, whose own vast correspondence,—with America, with Englishmen at home, with acquaintances on the continent,—had itself, unaided, made many a friend for the colonies over sea at the same time that it kept the leading men of the colonies informed of the opinions and the dangers breeding in England. But Mr. Adams's town committees came first. It was left for the little group of self-constituted leaders in the Virginian assembly, of whom Richard Henry Lee, Mr. Arthur Lee's elder brother, was one, to take the step which actually drew the colonies into active coöperation when the time was ripe. It was, in part, through the systematic correspondence set afoot by the Virginian burgesses that something like a common understanding had been arrived at as to what should be done when the tea came in; and the lawless defiance of the colonists in that matter brought the ministers in England to such a temper that there were presently new and very exciting subjects of correspondence between the committees, and affairs ran fast towards a crisis.

Teas to the value of no less than eighteen thousand pounds sterling had been thrown into the harbor at Boston on that memorable night of the 16th of December, 1773, when "Captain Mackintosh," the redoubtable leader of the South End toughs of the lively little town, was permitted for the nonce to lead his betters; but what aroused the ministers and put Parliament in a heat was not so much the loss incurred by the East

India Company or the outcry of the merchants involved as the startling significance of the act, and the un-

LORD NORTH

pleasant evidence which every day came to hand that all the colonies alike were ready to resist. After the tea had been sent away, or stored safe against sale or

present use, or thrown into the harbor, at Philadelphia, Charleston, New York, and Boston, as the leaders of the mobs or the meetings at each place preferred, there was an instant spread of Virginia's method of union. Six more colonies hastened to appoint committees of correspondence, and put themselves in direct communication with the men at Boston and at Williamsburg who were forming opinion and planning modes of redress. Only Pennsylvania held off. The tea had been shut out at Philadelphia, as elsewhere, but the leaders of the colony were not ready yet to follow so fast in the paths of agitation and resistance. Members of Parliament hardly noticed the exception. It was Boston they thought of and chiefly condemned as a hot-bed of lawlessness. Not every one, it is true, was ready to speak quite so plainly or so intemperately as Mr. Venn. "The town of Boston ought to be knocked about their ears and destroyed," he said. "You will never meet with proper obedience to the laws of this country until you have destroyed that nest of locusts." But, though few were so outspoken, no doubt many found such a view very much to their taste, excellently suited to their temper.

At any rate, the ministers went a certain way towards acting upon it. In March, 1774, after communicating to the House the despatches from America, the leaders of the government, now under Lord North, proposed and carried very drastic measures. By one bill they closed the port of Boston, transferring its trade after the first of June to the older port of Salem. Since the headstrong town would not have the tea, it should have no trade at all. By another bill they suspended the charter of the colony. By a third they made provision

THE HISTORY OF THE COLONY OF MASSACHUSETS-BAY,

FROM THE FIRST SETTLEMENT THEREOF IN 1628. UNTIL ITS INCORPORATION WITH THE Colony of PLIMOUTH, Province of MAIN, &c. BY THE Charter of King WILLIAM and Queen MARY, IN 1691.

Hiſtoria, non oſtentationi, ſed fidei, veritatique componitur.
Plin. Epiſt. L. 7. E. 33.

Vol. 1st. (only)

By MR. HUTCHINSON,
Lieutenant-Governor of the MASSACHUSETS Province.

BOSTON, NEW-ENGLAND:
Printed by THOMAS & JOHN FLEET, at the *Heart* and *Crown* in Cornhill, MDCCLXIV.

TITLE-PAGE OF HUTCHINSON'S HISTORY

for the quartering of troops within the province; and by a fourth they legalized the transfer to England of trials growing out of attempts to quell riots in the colony. News lingered on the seas in those days, waiting for the wind, and the critical news of what had been done in Parliament moved no faster than the rest. It was the 2d of June before the text of the new statutes was known in Boston. That same month, almost upon that very day, Thomas Hutchinson, the constant-minded governor whom Samuel Adams had tricked, hated, and beaten in the game of politics, left his perplexing post and took ship for England, never to return. Born and bred in Massachusetts, of the stock of the colony itself, he had nevertheless stood steadfastly to his duty as an officer of the crown, deeming Massachusetts best served by the law. He had suffered more than most men would have endured, but his sufferings had not blinded him with passion. He knew as well as any man the real state of affairs in the colony,—though he looked at them as governor, not as the people's advocate,—and now went to England to make them clear to the ministers. "The prevalence of a spirit of opposition to government in the plantation," he had already written them, "is the natural consequence of the great growth of colonies so remote from the parent state, and not the effect of oppression in the King or his servants, as the promoters of this spirit would have the world to believe." It would be of good omen for the settlement of difficulties if he could make the ministers see that the spirit which so angered them was natural, and not born of mere rebellion.

Mr. Hutchinson left General Gage governor in his stead,—at once governor and military commander.

Tho.s Gage

GENERAL GAGE

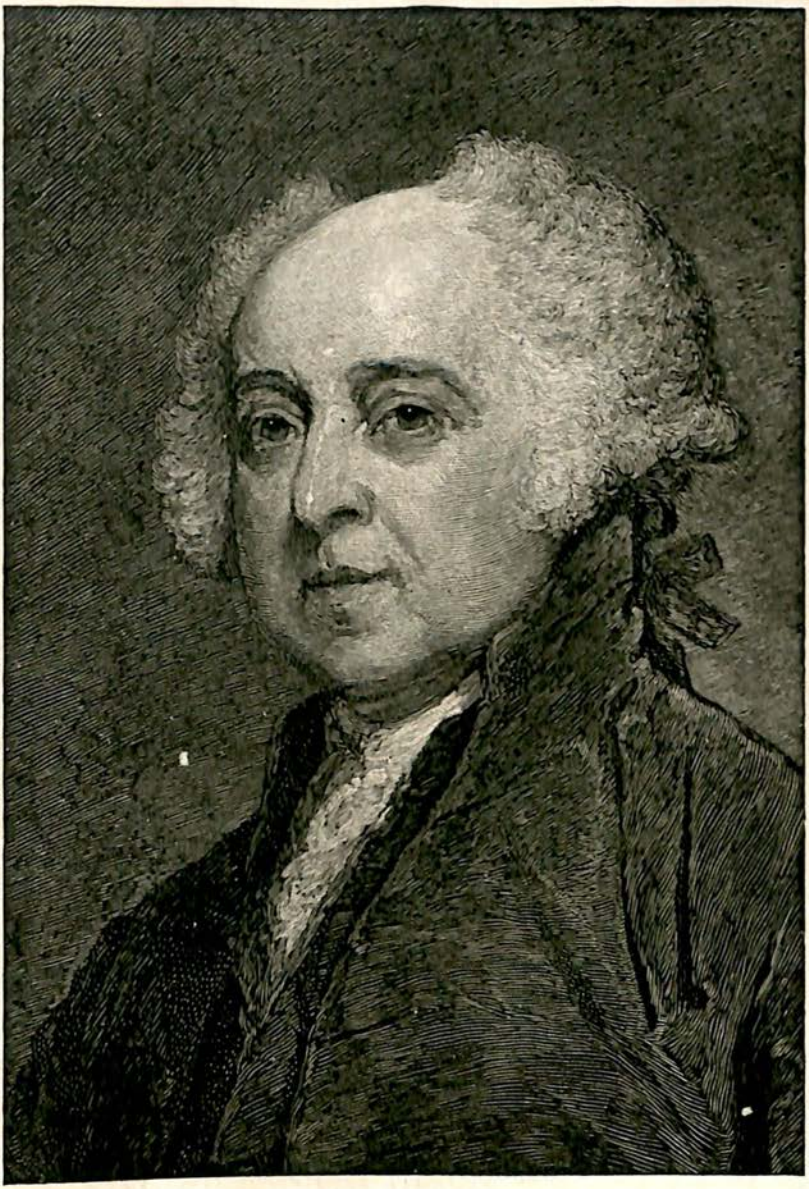
Gage was to face a season of infinite trouble, and, as men soon learned, did not know how to face it either with patience or with tact and judgment. The news of Boston's punishment and of the suspension of the Massachusetts charter, of the arrangements for troops, and of the legal establishment of methods of trial against which all had protested,—and, in the case of the *Gaspee* affair, successfully protested,—had an instant and most disturbing effect upon the other colonies, as well as upon those who were most directly affected. The ministers could not isolate Massachusetts. They were dealing with men more statesmanlike than themselves, who did not need to see their own liberties directly struck at to recognize danger, though it was not yet their danger. They had protested in the time of the Stamp Act, which affected

STOVE IN THE HOUSE OF THE BURGESSES, VIRGINIA

them all; this time they protested even more emphatically against measures aimed at Massachusetts alone. What was more significant, they had now means at hand for taking action in common.

Virginia, no doubt, seemed to the ministers in England far enough away from Massachusetts, but her Burgesses acted upon the first news of what Parliament was doing,—a month before the text of the obnoxious acts had reached Boston. In May, 1774, they ordered that June 1st, the day the Boston Port bill was to go into effect, be set apart as a day of fasting and prayer, —prayer that civil war might be averted and that the people of America might be united in a common cause. Dunmore promptly dissolved them for their pains; but they quietly assembled again in the long room of the Raleigh Tavern; issued a call thence to the other colonies[1] for a general Congress; and directed that a convention, freely chosen by the voters of the colony as they themselves had been, should assemble there, in that same room of the Raleigh, on the first day of August following, to take final measures with regard to Virginia's part in the common action hoped for in the autumn. The next evening they gave a ball in honor of Lady Dunmore and her daughters, in all good temper, as they had previously arranged to do,—as if nothing had happened, and as if to show how little what they had done was with them a matter of personal feeling or private intrigue, how much a matter of dispassionate duty. They had not acted singularly or alone. Rhode Island, New York, and Massachusetts herself had also asked for a general "Congress of Committees." The Massachusetts assembly had locked its doors against the governor's

[1] See page 222.



John Adams

JOHN ADAMS

messenger, sent to dissolve it, until it had completed its choice of a committee "to meet the committees appointed by the several colonies to consult together upon the present state of the colonies." It was chiefly because Massachusetts called that the other colonies responded, but the movement seemed general, almost spontaneous. Virginia and Massachusetts sent their real leaders, as the other colonies did; and September saw a notable gathering at Philadelphia,—a gathering from which conservatives as well as radicals hoped to see come forth some counsel of wisdom and accommodation.

Every colony but Georgia sent delegates to the Congress.[1] Not all who attended had been regularly elected by the colonial assemblies. The Virginian delegates had been elected by Virginia's August convention, a body unknown to the law; in some of the colonies there had been no timely sessions of the assemblies at which a choice could be made, and representatives had accordingly been appointed by their committees of correspondence, or elected directly by the voters at the town and county voting places. But no one doubted any group of delegates real representatives,—at any rate, of the predominant political party in their colony. In New York and Pennsylvania the conservatives had had the upper hand, and had chosen men who were expected to speak for measures of accommodation and for obedience to law. In the other colonies, if only for the nonce, the more radical party had prevailed, and had sent representatives who were counted on to speak unequivocally for the liberties of the colonies, even at the hazard of uttering words and urging action which might seem revolutionary and defiant.

[1] See page 211.

It was noteworthy and significant how careful a selection had been made of delegates. No doubt the most notable group was the group of Virginians: Colonel Washington; that "masterly man," Richard Henry Lee, as Mr. John Adams called him, as effective in Philadelphia as he had been in the House of Burgesses; Patrick Henry, whose speech was so singularly compounded of thought and fire; Edmund Pendleton, who had read nothing but law books and knew nothing but business, and yet showed such winning grace and convincing frankness withal in debate; Colonel Harrison, brusque country gentleman, without art or subterfuge, downright and emphatic; Mr. Bland, alert and formidable at sixty-four, with the steady insight of the lifelong student; and Mr. Peyton Randolph, their official leader and spokesman, whom the Congress chose its president, a man full of address, and seeming to carry privilege with him as a right inherited. Samuel Adams and John Adams had come from Massachusetts, with Mr. Cushing and Mr. Paine. South Carolina had sent two members of the Stamp Act Congress of 1765, Mr. Christopher Gadsden and Mr. John Rutledge, with Mr. Edward Rutledge also, a youth of twenty-five, and plain Mr. Lynch, clad in homespun, as direct and sensible and above ceremony as Colonel Harrison. Connecticut's chief spokesman was Roger Sherman, rough as a peasant without, but in counsel very like a statesman, and in all things a hard-headed man of affairs. New York was represented by Mr. John Jay, not yet thirty, but of the quick parts of the scholar and the principles of a man of honor. Joseph Galloway, the well-poised Speaker and leader of her House of Assembly, John Dickinson, the thought-

ful author of the famous "Farmer's Letters" of 1768, a quiet master of statement, and Mr. Thomas Mifflin, the well-to-do merchant, represented Pennsylvania.

ROGER SHERMAN

It was, take it all in all, an assembly of picked men, fit for critical business.

Not that there was any talk of actual revolution in the air. The seven weeks' conference of the Congress disclosed a nice balance of parties, its members act-

ing, for the most part, with admirable candor and individual independence. A good deal was said and conjectured about the "brace of Adamses" who led the Massachusetts delegation,—Samuel Adams, now past fifty-two, and settled long ago, with subtle art, to his life-long business, and pleasure, of popular leadership, which no man understood better; and John Adams, his cousin, a younger man by thirteen years, at once less simple and easier to read, vain and transparent,—transparently honest, irregularly gifted. It was said they were for independence, and meant to take the leadership of the Congress into their own hands. But it turned out differently. If they were for independence, they shrewdly cloaked their purpose; if they were ambitious to lead, they were prudent enough to forego their wish and to yield leadership, at any rate on the floor of the Congress, to the interesting men who represented Virginia, and who seemed of their own spirit in the affair.

There was a marked difference between what the Congress said aloud, for the hearing of the world, and what it did in order quietly to make its purpose of defeating the designs of the ministers effective. At the outset of its sessions it came near to yielding itself to the initiative and leadership of its more conservative members, headed by Joseph Galloway, the trusted leader of the Pennsylvanians, a stout loyalist, but for all that a sincere patriot and thorough-going advocate of the legal rights of the colonies. He proposed a memorial to the crown asking for a confederate government for the colonies, under a legislature of their own choosing, very like the government Mr. Franklin had made a plan for twenty years ago in the congress at

Jos. Galloway

JOSEPH GALLOWAY

Albany; and his suggestion failed of acceptance by only a very narrow margin when put to the vote. Even Edward Rutledge, of South Carolina, who spoke more hotly than most men for the liberties of the colonies, declared it an "almost perfect plan"; and the Congress, rejecting it, substituted no other. It turned, rather,

JOHN DICKINSON

to the writing of state papers, and a closer organization of the colonies for concert of action. Its committees drew up an address to the King, memorials to the people of Great Britain and to the people of British North America,[1] their fellow-subjects, and a solemn declaration of rights, so earnest, so moderate in tone, reasoned and urged with so evident and so admirable a quiet passion of conviction, as to win the deep and outspoken

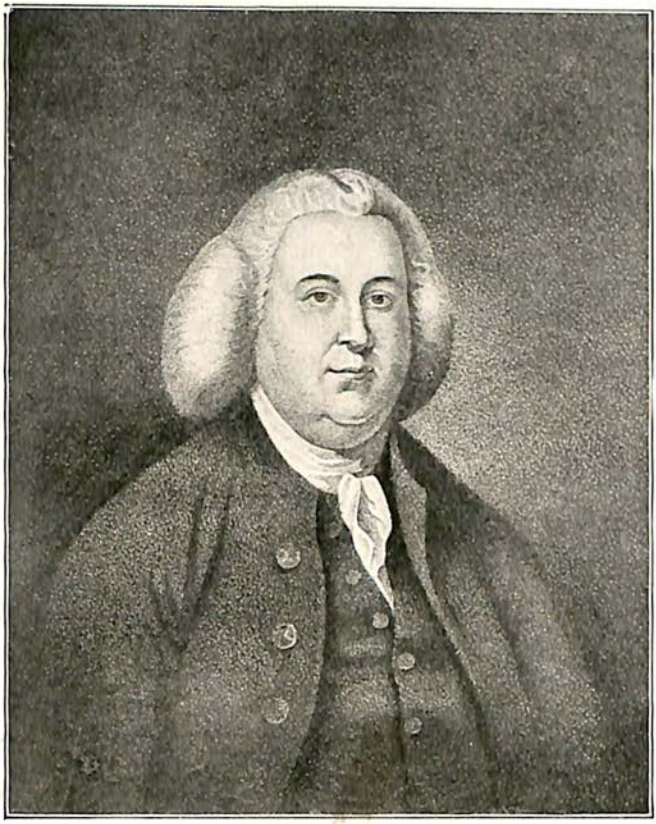
[1] See pages 119, 135 Vol. V.

admiration of their friends in Parliament and stir the pulses of liberal-minded men everywhere on both sides of the sea.

So much was for the world. For themselves, they ordered a closer and more effective association throughout the colonies to carry out the policy of a rigorous non-importation and non-consumption of certain classes of British goods as a measure of trade against the English government's policy of colonial taxation.[1] It recommended, in terms which rang very imperative, that in each colony a committee should be formed in every town or county, according to the colony's local administrative organization, which should be charged with seeing to it that every one within its area of oversight actually kept, and did not evade, the non-importation agreement; that these committees should act under the direction of the central committee of correspondence in each colony; and that the several colonial committees of correspondence should in their turn report to and put into effect the suggestions of the general Congress of Committees at Philadelphia. For the Congress, upon breaking up at the conclusion of its business in October, resolved to meet again in May of the next year, should the government in England not before that time accede to its prayers for a radical change of policy. Its machinery of surveillance was meanwhile complete. No man could escape the eyes of the local committees. Disregard of the non-importation policy meant that his name would be published, and that he would be diligently talked about as one who was no patriot. The Congress ordered that any colony which declined to enter into the new association should be regarded as hostile to "the

[1] See page 160 Vol. V.

liberties of this country." Samuel Adams himself had not had a more complete system of surveillance or of inquisitorial pressure upon individual conduct



Peyton Randolph

PEYTON RANDOLPH

and opinion at hand in his township committees of correspondence. In the colonies where sentiment ran warm no man could escape the subtle coercion.

Such action was the more worthy of remark because taken very quietly, and as if the Congress had of course

the right to lead, to speak for the majority and command the minority in the colonies, united and acting like a single body politic. There was no haste, no unusual excitement, no fearful looking for trouble in the proceedings of this new and quite unexampled assembly. On the contrary, its members had minds sufficiently at ease to enjoy throughout all their business the entertainments and the attractive social ways of the busy, well-appointed, cheerful, gracious town, the chief city of the colonies, in which there was so much to interest and engage. Dinings were as frequent almost as debates, calls as committee meetings. Evening after evening was beguiled with wine and tobacco and easy wit and chat. The delegates learned to know and understand each other as men do who are upon terms of intimacy; made happy and lasting friendships among the people of the hospitable place; drank in impressions which broadened and bettered their thinking, almost as if they had actually seen the several colonies with whose representatives they were dealing from day to day; and went home with a cleared and sobered and withal hopeful vision of affairs.

It was well to have their views so steadied. Events moved fast, and with sinister portent. Massachusetts could not be still, and quickly forced affairs to an issue of actual revolution. Before the Congress met again her leaders had irrevocably committed themselves to an open breach with the government; the people of the province had shown themselves ready to support them with extraordinary boldness; and all who meant to stand with the distressed and stubborn little commonwealth found themselves likewise inevitably committed to extreme measures. The Massachusetts men not

only deeply resented the suspension of their charter, they denied the legal right of Parliament to suspend it. On the 9th of September, 1774, four days after the assembling of the Congress at Philadelphia, delegates from Boston and the other towns in Suffolk County in Massachusetts had met in convention and flatly declared that the acts complained of, being unconstitutional, ought not to be obeyed; that the new judges appointed under the act of suspension ought not to be regarded or suffered to act; that the collectors of taxes ought to be advised to retain the moneys collected, rather than turn them into General Gage's treasury; and that, in view of the extraordinary crisis which seemed at hand, the people ought to be counselled to prepare for war,—not, indeed, with any purpose of provoking hostilities, but in order, if necessary, to resist aggression. They declared also for a provincial congress, to take the place of the legislative council of their suspended charter, and resolved to regard the action of the Congress at Philadelphia as law for the common action of the colonies.[1]

It gave these resolutions very grave significance that the Congress at Philadelphia unhesitatingly declared, upon their receipt, that the whole continent ought to support Massachusetts in her resistance to the unconstitutional changes in her government, and that any person who should accept office within the province under the new order of things ought to be considered a public enemy. Moreover, the Suffolk towns did not stand alone. Their temper, it seemed, was the temper of the whole colony. Other towns took action of the same kind; and before the Congress at Philadelphia had adjourned, Massachusetts had

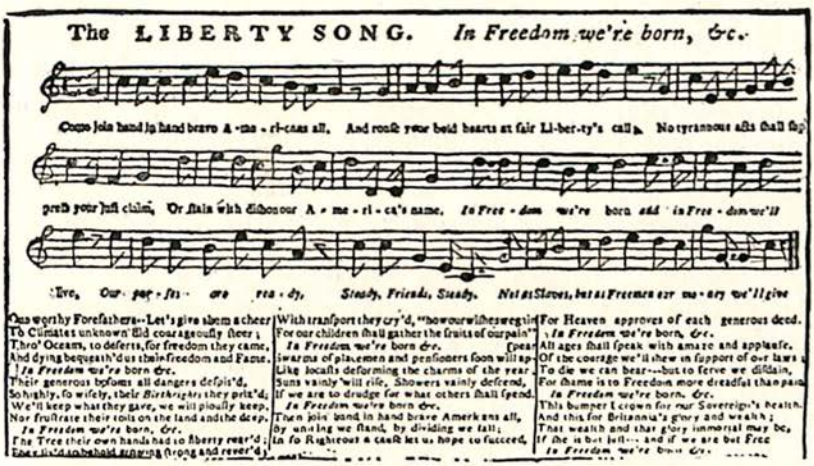
[1] See pages 214, 222.

WASHINGTON STOPPING AT AN INN ON HIS WAY TO CAMBRIDGE

actually set up a virtually independent provincial congress. General Gage had summoned the regular assembly of the province to meet at Salem, the new capital under the parliamentary changes, on the 5th of October, but had withdrawn the summons as he saw signs of disaffection multiply and his authority dwindle to a mere shadow outside his military lines at Boston. The members of the assembly convened, nevertheless, and, finding no governor to meet them, resolved themselves into a provincial congress and appointed a committee of safety to act as the provisional executive of the colony. The old government was virtually dissolved, a revolutionary government substituted.

The substitution involved every hazard of license and disorder. A people schooled and habituated to civil order and to the daily practice of self-government, as the people of Massachusetts had been, could not, indeed, suffer utter demoralization or lose wholly and of a sudden its sobriety and conscience in matters of public business. But it was a perilous thing that there was for a time no recognized law outside of the fortifications which General Gage had thrown across Boston Neck, to defend the town against possible attack from its own neighbors. Town meetings and irregular committees took the place of officers of government in every locality. The committees were often self-constituted, the meetings too often disorderly and irregularly summoned. Everything fell into the hands of those who acted first; and inasmuch as the more hot-headed and violent are always at such times the first to act, many sober men who would fain have counselled restraint and prudence and the maintenance so far as might be

of the old order, were silenced or overridden. The gatherings at which concerted action was determined upon were too often like mere organized mobs. Men too often obtained ascendency for the time being who had no claim upon the confidence of their followers but such as came from audacity and violence of passion; and many things happened under their leadership which it was afterwards pleasant to forget. No man


The LIBERTY SONG. *In Freedom we're born, &c.*

Come join hand in hand brave A-me-ri-cans all, And rouse your bold hearts at fair Li-ber-ty's call, No tyrannous acts shall sup-

press your just claim, Or stain with dishonour A-me-ri-ca's name. *In Free-dom we're born and in Free-dom we'll*

live, Our par-ses are rea-dy, Steady, Friends, Steady. Not as Slaves, but as Freemen our mo-ney we'll give

Our worthy Forefathers--Let's give them a cheer
To Climates unknown did courageously steer;
Thro' Oceans, to deserts, for freedom they came,
And dying bequeath'd us their freedom and Fame.
In Freedom we're born &c.
Their generous bosoms all dangers despis'd,
So highly, so wisely, their *Birthrights* they prix'd;
We'll keep what they gave, we will piously keep,
Nor frustrate their toils on the land and the deep.
In Freedom we're born, &c.
The Tree their own hands had so liberty rear'd;
They lis'd to behold growing strong and rever'd;

With transport they cry'd, "how our wishes we gain
For our children shall gather the fruits of our pain"
In Freedom we're born &c.
Swarms of placemen and pensioners soon will appear
Like locusts deforming the charms of the year.
Suns vainly will rise, Showers vainly descend,
If we are to drudge for what others shall spend.
In Freedom we're born &c.
Then join hand in hand brave Americans all,
By uniting we stand, by dividing we fall;
In so Righteous a cause let us hope to succeed,

For Heaven approves of each generous deed.
In Freedom we're born, &c.
All ages shall speak with amaze and applause,
Of the courage we'll shew in support of our laws;
To die we can bear---but to serve we disdain,
For shame is to Freedom more dreadful than pain.
In Freedom we're born, &c.
This bumper I crown for our Sovereign's health,
And this for Britannia's glory and wealth;
That wealth and that glory immortal may be,
If she is but just--- and if we are but Free
In Freedom we're born &c.

THE LIBERTY SONG

of consequence who would not openly and actively put himself upon the popular side was treated with so much as toleration. General Gage presently found Boston and all the narrow area within his lines filling up, accordingly, with a great body of refugees from the neighboring towns and country-sides.

It gave those who led the agitation the greater confidence and the greater influence that the ministers of the churches were for the most part on their side. The control of Parliament had come, in the eyes of the New

England clergy, to mean the control also of bishops and the supremacy of the Establishment. Now, as always before, since the very foundation of the colony, the independence of their little commonwealths seemed but another side of the independence of their churches; and none watched the course of government over sea more jealously than the Puritan pastors.

Not only those who sided with the English power because of fear or interest,—place-holders, sycophants, merchants who hoped to get their trade back through favor, weak men who knew not which side to take and thought the side of government in the long run the safer,—but many a man of dignity and substance also, and many a man of scrupulous principle who revered the ancient English power to which he had always been obedient with sincere and loyal affection, left his home and sought the protection of Gage's troops. The vigilance of the local committees effectually purged the population outside Boston, as the weeks went by, of those who were not ready to countenance a revolution. There was, besides, something very like military rule outside Boston as well as within it. The provincial congress met, while necessary, from month to month, upon its own adjournment, and, prominent among other matters of business, diligently devoted itself to the enrolment and organization of a numerous and efficient militia. Local as well as general commanders were chosen; there was constant drilling on village greens; fire-arms and ammunition were not difficult to get; and an active militia constituted a very effective auxiliary in the consolidation of local opinion concerning colonial rights and the proper means of vindicating them.

It is the familiar story of revolution: the active and efficient concert of a comparatively small number controlling the action of whole communities at a moment of doubt and crisis. There was not much difference of opinion among thoughtful men in the colonies with regard to the policy which the ministers in England had recently pursued respecting America. It was agreed on all hands that it was unprecedented, unwise, and in plain derogation of what the colonists had time out of mind been permitted to regard as their unquestioned privileges in matters of local self-government. Some men engaged in trade at the colonial ports had, it is true, found the new policy of taxation and enforced restrictions very much to their own interest. The Sugar Act of 1733, which cut at the heart of the New England trade with the French West Indies, and which Grenville and Townshend had, in these last disturbing years, tried to enforce, had, it was said, been passed in the first instance at the suggestion of a Boston merchant who was interested in sugar growing in the British islands whence the act virtually bade the colonial importers take all their sugar, molasses, and rum; and no doubt there were many in all the American ports who would have profited handsomely by the enforcement of the law. But, however numerous these may have been, they were at most but a small minority. For a vast majority of the merchants the enforcement of the acts meant financial ruin. Merchants as well as farmers, too, were hotly against taxes put upon them in their own ports by an act of Parliament. They were infinitely jealous of any invasion of their accustomed rights of self-government under their revered and ancient charter. Governor Hutchinson him-

self, though he deemed the commands of Parliament law, and thought it his own bounden duty as an officer of the crown to execute them. declared in the frankest fashion to the ministers themselves that their policy was unjust and mistaken.

But, while men's sentiments concurred in a sense of wrong, their judgments parted company at the choice of what should be done. Men of a conservative and sober way of thinking; men of large fortune or business, who knew what they had at stake should disorders arise or law be set aside; men who believed that there were pacific ways of bringing the government to another temper and method in dealing with the colonies, and who passionately preferred the ways of peace to ways of violence and threatened revolution, arrayed themselves instinctively and at once against every plan that meant lawlessness and rebellion. They mustered very strong indeed, both in numbers and in influence. They bore, many of them, the oldest and most honored names of the colony in Massachusetts, where the storm first broke, and were men of substance and training and schooled integrity of life, besides. Their counsels of prudence were ignored, nevertheless, —as was inevitable. Opinion formed itself with quick and heated impulse in the brief space of those first critical months of irritation and excitement; and these men, though the natural leaders of the colony, were despised, rejected, proscribed, as men craven and lacking the essential spirit either of liberty or of patriotism.

It was, no doubt, a time when it was necessary that something should be done,—as well as something said. It was intolerable to the spirit of most of the people, when once they were roused, to sit still under a sus-

pension of their charter, a closing of their chief port, the appointment of judges and governors restrained by none of the accustomed rules of public authority among them, and tamely utter written protests only, carrying obedience to what seemed to them the length of sheer servility. It happened that there had gone along with the hateful and extraordinary parliamentary measures of 1774 an act extending the boundaries of the province of Quebec to the Ohio River and establishing an arbitrary form of government within the extended province. It was a measure long ago planned. Its passage at that time had nothing to do with the ministers' quarrel with the self-governing colonies to the southward. But it was instantly interpreted in America as an attempt to limit the westward expansion of the more unmanageable colonies which, like Massachusetts, arrogated the right to govern themselves; and it of course added its quota of exasperation to the irritations of the moment. It seemed worse than idle to treat ministers who sent such a body of revolutionary statutes over sea as reasonable constitutional rulers who could be brought to a more lawful and moderate course by pamphlets and despatches and public meetings, and all the rest of the slow machinery of ordinary agitation. Of course, too, Samuel Adams and those who acted with him very carefully saw to it that agitation should not lose its zest or decline to the humdrum levels of ordinary excitement. They kept their alarm bells pealing night and day, and were vigilant that feeling should not subside or fall tame. And they worked upon genuine matter. They knew the temper of average men in the colony much better than their conservative opponents did, and touched

it with a much truer instinct in their appeals. Their utterances went to the quick with most plain men,—and they spoke to a community of plain men. They spoke to conviction as well as to sentiment, and the minds they touched were thoroughly awakened. Their doctrine of liberty was the ancient tradition of the colony. The principles they urged had been urged again and again by every champion of the chartered liberties of the colonies, and seemed native to the very air.

SIGNATURE OF JOSEPH HAWLEY

If not constitutional statesmen, they were at least the veritable spokesmen of all men of action, and of the real rank and file of the colonists about them,—as Patrick Henry was in Virginia. John Adams had read to Henry, while the first Congress was sitting in Philadelphia, Joseph Hawley's opinion that what the ministers had done made it necessary to fight. "I am of that man's opinion," cried the high-spirited Virginian. That was what men said everywhere, unless imperatively held back from action by temperament, or interest, or an unusual, indomitable conviction of law-abiding duty, upon whatever exigency or provocation. It is not certain that there could be counted in Massachusetts so much as a majority for resistance in those first days of the struggle for right; but it is certain that those who favored extreme measures had the more effective spirit of initiative among them, the best concert of action, the more definite purpose,

the surest instinct of leadership, and stood with true interpretative insight for the latent conviction of right which underlay and supported every colonial charter in America.

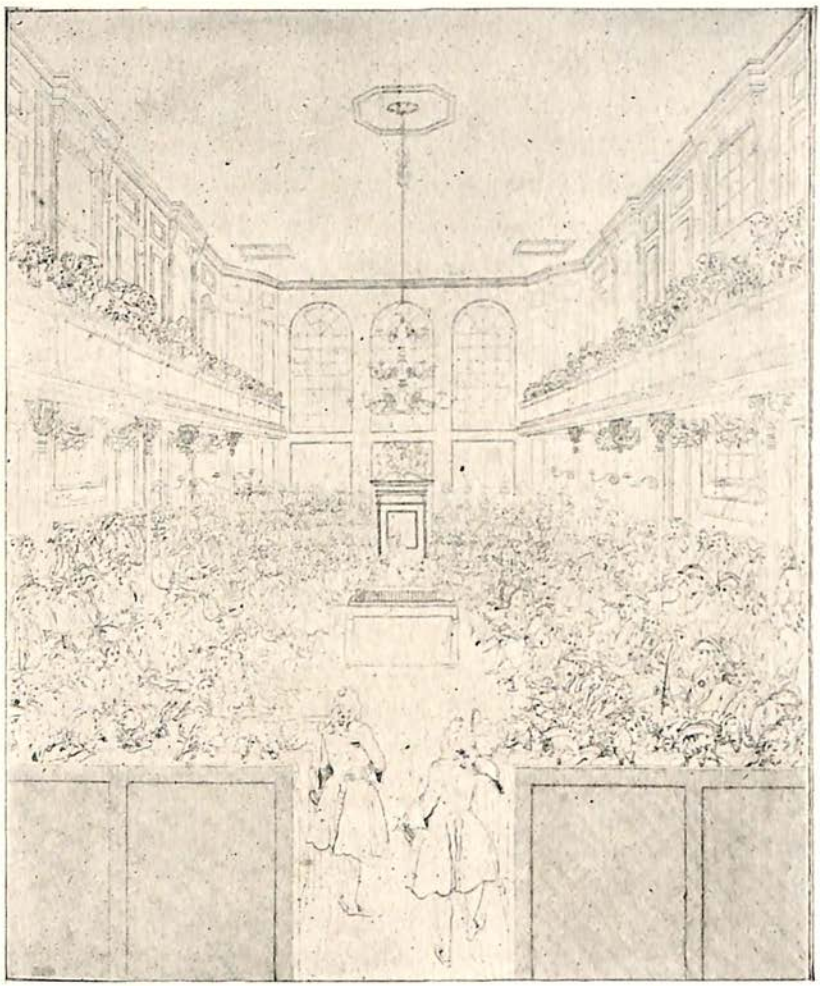
And not only every colonial charter, but the constitution of England itself. The question now raised, to be once for all settled, was, in reality, the question of constitutional as against personal government; and that question had of late forced itself upon men's thoughts in England no less than in America. It was the burden of every quiet as well as of every impassioned page in Burke's *Thoughts on the Present Discontents,* published in 1770. The Parliament of 1774 did not represent England any more than it represented the colonies in America, either in purpose or principle. So ill distributed was the suffrage and the right of representation that great centres of population had scarcely a spokesman in the Commons, while little hamlets, once populous but now deserted, still returned members who assumed to speak for the country. So many voters were directly under the influence of members of the House of Lords, as tenants and dependants; so many members of the House of Lords were willing to put themselves and the seats which they controlled in the Commons at the service of the King, in return for honors and favors received or hoped for; so many elections to the Lower House were corruptly controlled by the court,—so full was Parliament, in short, of placemen and of men who counted upon the crown's benefactions, that the nation seemed excluded from its own councils, and the King acted as its master without serious let or hinderance.

The Whig party, which stood for constitutional

privilege, was utterly disorganized. Some Whigs had followed Chatham to the end, despite his uncertain temper, his failing health, his perverse treatment of his friends; some had followed, rather, the Marquis of Rockingham, whose brief tenure of power, in 1766, had been but long enough to effect the repeal of the odious Stamp Act; but nothing could hold the divergent personal elements of the party together, and there was no place for a party of principle and independence in an unrepresentative Parliament packed with the "King's friends." Ministries rose or fell according to the King's pleasure, and were Whig or Tory as he directed, without change of majority in the Commons. "Not only did he direct the minister" whom the House nominally obeyed "in all matters of foreign and domestic policy, but he instructed him as to the management of debates in Parliament, suggested what motions should be made or opposed, and how measures should be carried." The Houses were his to command; and when Chatham was gone, no man could withstand him. Persons not of the ministry at all, but the private and irresponsible advisers of the King, became the real rulers of the country. The Duke of Grafton, who became the nominal head of the government in 1768, was not his own master in what he did or proposed; and Lord North, who succeeded him in 1770, was little more than the King's mouthpiece.

Thoughtful men in England saw what all this meant, and deemed the liberties of England as much jeoparded as the liberties of America. And the very men who saw to the heart of the ominous situation in England were, significantly enough, the men who spoke most fearlessly and passionately in Parliament in defence

of America, — statesmen like Chatham and Burke, frank soldiers like Colonel Barré, political free lances like the reckless John Wilkes, and all the growing company of agitators in London and elsewhere whom the government busied itself to crush. It was the group gathered about Wilkes in London who formed, under Horne Tooke's leadership, the famous "Society for supporting the Bill of Rights," with which Samuel Adams proposed, in his letter to Arthur Lee in 1771, that similar societies, to be formed in the several colonies in America, should put themselves in active coöperation by correspondence. Those who attacked the prerogative in England were as roundly denounced as traitors as those who resisted Parliament in America. Wilkes was expelled from the House of Commons; the choice of the Westminster electors who had chosen him was arbitrarily set aside and annulled; those who protested with too much hardihood were thrown into prison or fined. But each arbitrary step taken seemed only to increase the rising sense of uneasiness in the country. The London mob was raised; rioting spread through the country, till there seemed to be chronic disorder; writers like "Junius" sprang up to tease the government with stinging letters which no one could successfully answer, because no one could match their wit or point; an independent press came almost suddenly into existence; and because there was no opinion expressed in the House of Commons worthy of being called the opinion of the nation, public opinion formed and asserted itself outside the Houses, and began to clamor uncomfortably for radical constitutional reforms. Mr. Wilkes was expelled the House in 1769, just as the trouble in America was thickening towards



THE HOUSE OF COMMONS

storm; and long before that trouble was over it had become plain to every man of enlightened principle that agitation in England and resistance in America had one and the same object,—the rectification of the whole spirit and method of the English government.

George III. had too small a mind to rule an empire,

and the fifteen years of his personal supremacy in affairs (1768–1783) were years which bred a revolution in England no less inevitably than in America. His stubborn instinct of mastery made him dub the colonists "rebels" upon their first show of resistance; he deemed the repeal of the Stamp Act a fatal step of weak compliance, which had only "increased the pretensions of the Americans to absolute independence." Chatham he called a "trumpet of sedition" because he praised the colonists for their spirited assertion of their rights. The nature of the man was not sinister. Neither he nor his ministers had any purpose of making "slaves" of the colonists. Their measures for the regulation of the colonial trade were incontestably conceived upon a model long ago made familiar in practice, and followed precedents long ago accepted in the colonies. Their financial measures were moderate and sensible enough in themselves, and were conceived in the ordinary temper of law-making. What they did not understand or allow for was American opinion. What the Americans, on their part, did not understand or allow for was the spirit in which Parliament had in fact acted. They did not dream with how little comment or reckoning upon consequences, or how absolutely without any conscious theory as to power or authority, such statutes as those which had angered them had been passed; how members of the Commons stared at Mr. Burke's passionate protests and high-pitched arguments of constitutional privilege; how unaffectedly astonished they were at the rebellious outbreak which followed in the colonies. And, because they were surprised and had intended no tyranny, but simply the proper government of trade and the

seed office for trade — with an amazing & barefaced success.

Novr 19. 1774. Early this morning Mr. Wm Eng^d waited upon me with ye Compts of Ld North, & desired to see me this morning. I went abt ye time & found Sir Geo Savile in ye Levee room. After a short time his L^dship sent for Mr W & myself into his Apartment. His reception was polite & with a chearfull affability. His L^dship soon enq^d into ye state in which I left American affairs. I gave him my sentiments upon them, together with what I took to be the causes of most of our political evils — ye last misrepresentation & falsehood. His L^dship replied he did not doubt there was been much, but added that, very honestly, they had given a wrong state of matters & that much mistake was

PAGE FROM THE DIARY OF JOSIAH QUINCY

adequate support of administration throughout the dominions of the crown, as the ministers had represented these things to them, members of course thought the disturbances at Boston a tempest in a teapot, the reiterated protests of the colonial assemblies a pretty piece of much ado about nothing. The radical trouble was that the Parliament really represented nobody but the King and his "friends," and was both ignorant and unreflective upon the larger matters it dealt with.

It was the more certain that the promises of accommodation and peaceful constitutional reform which the supporters of the government in America so freely and earnestly made would be falsified, and that exasperation would follow exasperation. The loyal partisans of the crown in the colonies understood as little as did the radical patriotic party the real attitude and disposition of the King and his ministers. The men with whom they were dealing over sea had not conceived and could not conceive the American point of view with regard to the matters in dispute. They did not know whereof Mr. Burke spoke when he told them that the colonial assemblies had been suffered to grow into a virtual independence of Parliament, and had become in fact, whatever lawyers might say, coördinated with it in every matter which concerned the internal administration of the colonies; and that it was now too late to ask or expect the colonists to accept any other view of the law than that which accorded with long-established fact.[1] Mr. Burke admitted that his theory was not a theory for the strict lawyer: it was a theory for statesmen, for whom fact must often take precedence of law. But the men he addressed were strict legists and not statesmen. There

[1] See page 241.

By the KING,

A PROCLAMATION,

For ſuppreſſing Rebellion and Sedition.

GEORGE R.

WHEREAS many of Our Subjects in divers Parts of Our Colonies and Plantations in *North America*, miſled by dangerous and ill-deſigning Men, and forgetting the Allegiance which they owe to the Power that has protected and ſuſtained them, after various diſorderly Acts committed in Diſturbance of the Publick Peace, to the Obſtruction of lawful Commerce, and to the Oppreſſion of Our loyal Subjects carrying on the ſame, have at length proceeded to an open and avowed Rebellion, by arraying themſelves in hoſtile Manner to withſtand the Execution of the Law, and traitorouſly preparing, ordering, and levying War againſt Us: And whereas there is Reaſon to apprehend that ſuch Rebellion hath been much promoted and encouraged by the traitorous Correſpondence, Counſels, and Comfort of divers wicked and deſperate Perſons within this Realm: To the End therefore that none of Our Subjects may neglect or violate their Duty through Ignorance thereof, or through any Doubt of the Protection which the Law will afford to their Loyalty and Zeal; We have thought fit, by and with the Advice of Our Privy Council, to iſſue this Our Royal Proclamation, hereby declaring that not only all Our Officers Civil and Military are obliged to exert their utmoſt Endeavours to ſuppreſs ſuch Rebellion, and to bring the Traitors to Juſtice; but that all Our Subjects of this Realm and the Dominions thereunto belonging are bound by Law to be aiding and aſſiſting in the Suppreſſion of ſuch Rebellion, and to diſcloſe and make known all traitorous Conſpiracies and Attempts againſt Us, Our Crown and Dignity; And We do accordingly ſtrictly charge and command all Our Officers as well Civil as Military, and all other Our obedient and loyal Subjects, to uſe their utmoſt Endeavours to withſtand and ſuppreſs ſuch Rebellion, and to diſcloſe and make known all Treaſons and traitorous Conſpiracies which they ſhall know to be againſt Us, Our Crown and Dignity; and for that Purpoſe, that they tranſmit to One of Our Principal Secretaries of State, or other proper Officer, due and full Information of all Perſons who ſhall be found carrying on Correſpondence with, or in any Manner or Degree aiding or abetting the Perſons now in open Arms and Rebellion againſt Our Government within any of Our Colonies and Plantations in *North America*, in order to bring to condign Puniſhment the Authors, Perpetrators, and Abettors of ſuch traitorous Deſigns.

Given at Our Court at St. *James's*, the Twenty-third Day of *Auguſt*, One thouſand ſeven hundred and ſeventy-five, in the Fifteenth Year of Our Reign.

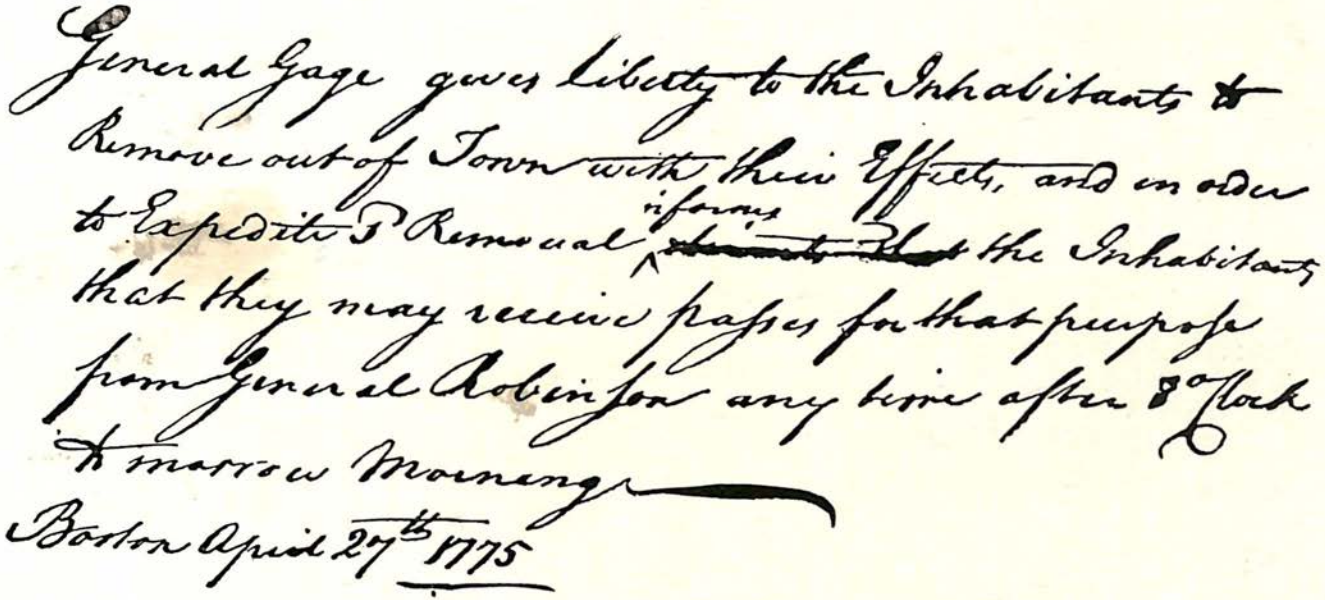
God ſave the King.

LONDON:
Printed by *Charles Eyre* and *William Strahan*, Printers to the King's moſt Excellent Majeſty. 1775.

could be no understanding between the two sides of the water; and the loyalists who counselled submission, if only for a time, to the authority of the ministers, were certain to be rejected among their own people. The spirit of American affairs was with the patriots, and would be with them more and more as the quarrel thickened.

It thickened fast enough, and the storm broke before men were aware how near it was. While winter held (1774–1775), affairs everywhere grew dark and uneasy, not only in Massachusetts, where Gage's troops waited at Boston, but in every colony from Maine to the Gulf. Before the end of 1774 the Earl of Dunmore reported to the government, from Virginia, that every county was "arming a company of men for the avowed purpose of protecting their committees," and that his own power of control was gone. "There is not a justice of peace in Virginia," he declared, "that acts except as a committee-man"; and it gave him the graver concern to see the turn affairs were taking because "men of fortune and pre-eminence joined equally with the lowest and meanest" in the measures resorted to to rob him of authority.

To the south and north of Virginia, counsels were divided. Those who led against the government in North Carolina had good reason to doubt whether they had even a bare majority of the people of their colony at their back. Every country-side in South Carolina, for all Charleston was as hot as Boston against the ministers, was full of warm, aggressive, out-spoken supporters of the King's prerogative. The rural districts of Pennsylvania, every one knew, were peopled with quiet Quakers whose very religion bade them offer no


General Gage gives Liberty to the Inhabitants to
Remove out of Town with their Effects, and in order
to Expedite their Removal ~~desires that~~ informs the Inhabitants
that they may receive passes for that purpose
from General Robinson any time after 8 o'Clock
to morrow Morning

Boston April 27th 1775

GAGE'S ORDER PERMITTING INHABITANTS TO LEAVE BOSTON

resistance even to oppressive power, and of phlegmatic Germans who cared a vast deal for peace but very little for noisy principles that brought mischief. Many a wealthy and fashionable family of Philadelphia, moreover, was much too comfortable and much too pleasantly connected with influential people on the other side of the water to relish thoughts of breach or rebellion. Virginians, it might have seemed, were themselves remote enough from the trouble which had arisen in Massachusetts to keep them in the cool air of those who wait and will not lead. But they were more in accord than the men of Massachusetts itself, and as quick to act. By the close of June, 1775, Charles Lee could write from Williamsburg, "Never was such vigor and concord heard of, not a single traitor, scarcely a silent dissentient." As the men of the several counties armed themselves, as if by a common impulse, all turned as of course to Colonel Washington, of Fairfax, as their natural commander; and no one in Virginia was surprised to learn his response.[1] "It is my full intention," he said, "to devote my life and fortune to the cause we are engaged in." On the 20th of March, 1775, the second revolutionary convention of Virginia met at Richmond, not at Williamsburg; and in it Mr. Henry made his individual declaration of war against Great Britain.[2] Older and more prudent men protested against his words; but they served on the committee on the military organization of the colony for which his resolutions called. and Virginia was made ready.

Here our general *authorities* are still Bancroft, Hildreth, and Bryant; David Ramsay's *History of the American Revolution*; the last volume of James Grahame's *Rise and Progress of the United States of North America*; John Fiske's *American Revolution*;

Thomas Hutchinson's *History of Massachusetts;* John S. Barry's *History of Massachusetts;* Richard Frothingham's *Rise of the Republic of the United States;* Justin Winsor's *The Conflict Precipitated,* in the sixth volume of Winsor's *Narrative and Critical History of America;* and the twelfth chapter of W. E. H. Lecky's *History of England in the Eighteenth Century.* To these we now add Frank Moore's *Diary of the American Revolution;* George Chalmers's *Introduction to the History of the Revolt;* Timothy Pitkin's *Political and Civil History of the United States;* and the fourth volume of John Richard Green's *History of the English People.* Here, also, the biographies of the chief public men of the period must be the reader's constant resource for a closer view of affairs, particularly the *Lives* of such men as John and Samuel Adams, John Dickinson, Franklin, Hamilton, Patrick Henry, John Jay, Jefferson, the Lees, George Mason, James Otis, Timothy Pickering, and Washington.

The chief *sources* that should be mentioned are the *Debates of Parliament;* the *Annual Register;* the *Proceedings* and *Collections* of the Historical Societies of the original States; Peter Force's *American Archives;* Jared Sparks's *Correspondence of the Revolution;* Hezekiah Niles's *Principles and Acts of the Revolution in America; Copy of Letters sent to Great Britain by Thomas Hutchinson,* reprinted in *Franklin Before the Privy Council;* P. O. Hutchinson's *Life and Letters of Thomas Hutchinson;* and the published speeches, letters, and papers of the leading American and English statesmen of the time.

CHAPTER IV

THE WAR FOR INDEPENDENCE

THEN, almost immediately, came the clash of arms. General Gage would not sit still and see the country round about him made ready for armed resistance without at least an effort to keep control of it. On the 19th of April he despatched eight hundred men to seize the military stores which the provincials had gathered at Concord, and there followed an instant rising of the country. Riders had sped through the country-side during the long night which preceded the movement of the troops, to give warning; and before the troops could finish their errand armed men beset them at almost every turn of the road, swarming by companies out of every hamlet and firing upon them from hedge and fence corner and village street as if they were outlaws running the gauntlet. The untrained villagers could not stand against them in the open road or upon the village greens, where at first they mustered, but they could make every way-side covert a sort of ambush, every narrow bridge a trap in which to catch them at a disadvantage. Their return to Boston quickened to a veritable rout, and they left close upon three hundred of their comrades, dead, wounded, or prisoners, behind them ere they reached the cover of their lines again. The news of their march and of the attack upon them

had spread everywhere, and in every quarter the roads filled with the provincial minute men marching upon Boston. Those who had fired upon the troops and driven them within their lines did not go home again;

In *Provincial Congreſs, Watertown, June* 17th, 1775.

WHEREAS *the hoſtile Incurſions this Country is expoſed to, and the frequent Alarms we may expect from the Military Operations of our Enemies, make it neceſſary that the good People of this Colony be on their Guard, and prepared at all Times to reſiſt their Attacks, and to aid and aſſiſt their Brethren:* Therefore,

RESOLVED, That it be and hereby is recommended to the Militia in all Parts of this Colony, to hold themſelves in Readineſs to march at a Minute's Warning, to the Relief of any Place that may be attacked, or to the Support of our Army, with at leaſt twenty Cartridges or Rounds of Powder and Ball. And to prevent all Confuſion or Delays, It is further recommended to the Inhabitants of this Colony, living on the Seacoaſts, or within twenty Miles of them, that they carry their Arms and Ammunition with them to Meeting, on the Sabbath and other Days, when they meet for public Worſhip:——*Reſolved*, That all Vacancies in the ſeveral Regiments of Militia, occaſioned by the Officers going into the Army, or otherwiſe, be immediately filled up: And it is recommended to the Regiments where ſuch Vacancies are, to ſupply them in manner and form as preſcribed by the Reſolutions of Congreſs.

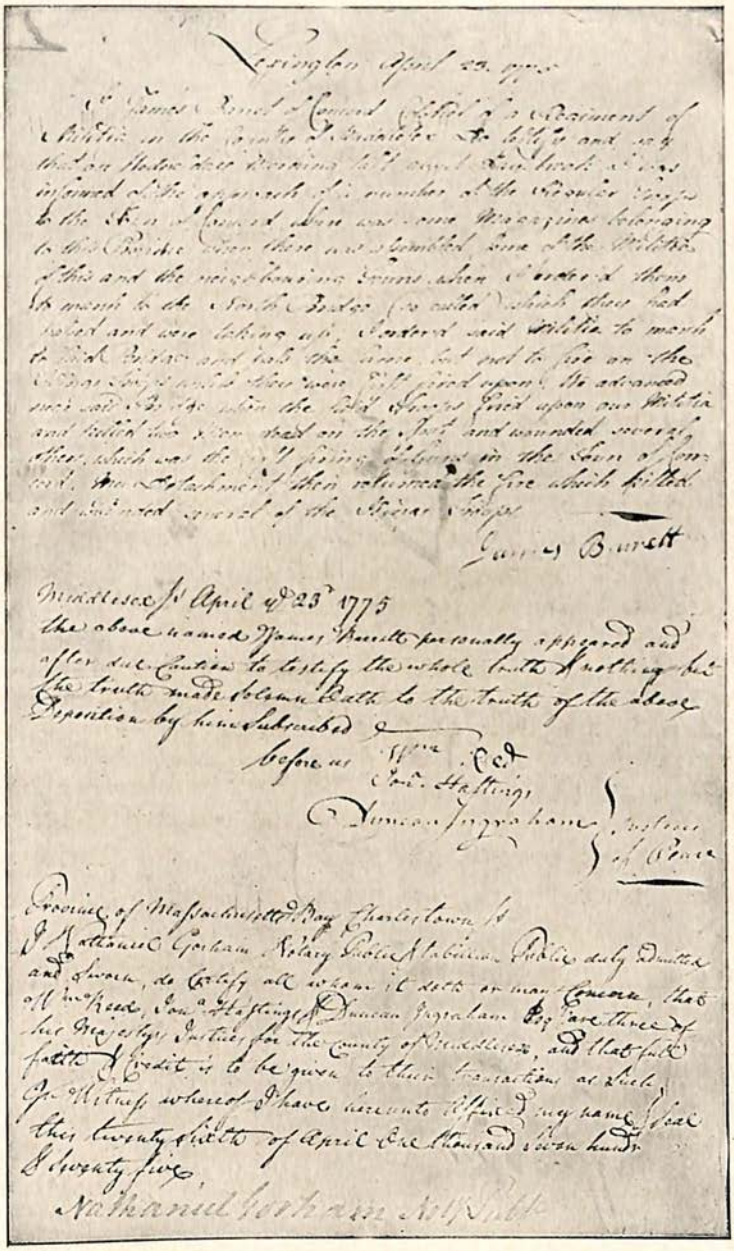
A true Copy from the Minutes,

Atteſt. SAMUEL FREEMAN, Secr'y.

NOTICE TO MILITIA

those who came too late for the fighting stayed to see that there were no more sallies from the town; and the morning of the 20th disclosed a small army set down by the town in a sort of siege.

That same night of the 20th Lord Dunmore, in Virginia, landed a force of marines from an armed sloop in



Lexington April 23. 1775

I James Barrett of Concord Colonel of a Regiment of Militia in the County of Middlesex Do testify and say that on Wednesday Morning last about Four Week I was informed of the approach of a number of the Regular Troops to the Town of Concord where was some Magazines belonging to this Province when there was assembled some of the Militia of this and the neighbouring Towns when I ordered them to march to the North Bridge (so called) which they had passed and were taking up, I ordered said Militia to march to said Bridge and pass the same but not to fire on the Kings Troops unless they were first fired upon. We advanced near said Bridge when the said Troops fired upon our Militia and killed two Men dead on the Spot and wounded several others which was the first firing of Guns in the Town of Concord. My Detachment then returned the fire which killed and wounded several of the Kings Troops

James Barrett

Middlesex ss April 23d 1775
the above named James Barrett personally appeared and after due Caution to testify the whole truth & nothing but the truth made solemn Oath to the truth of the above Deposition by him Subscribed

before us Wm Reed
Jon. Hastings
Duncan Ingraham } Justices of Peace

Province of Massachusetts Bay Charlestown ss
I Nathaniel Gorham Notary Public & Tabellion Public duly admitted and sworn, do Certify all whom it doth or may Concern, that Wm Reed, Jon. Hastings & Duncan Ingraham Esq are three of his Majesty's Justices for the County of Middlesex, and that full faith & Credit is to be given to their transactions as such. In Witness whereof I have hereunto Affixed my name & seal this twenty sixth of April One thousand seven hundr & seventy five.

Nathaniel Gorham Notry Publ

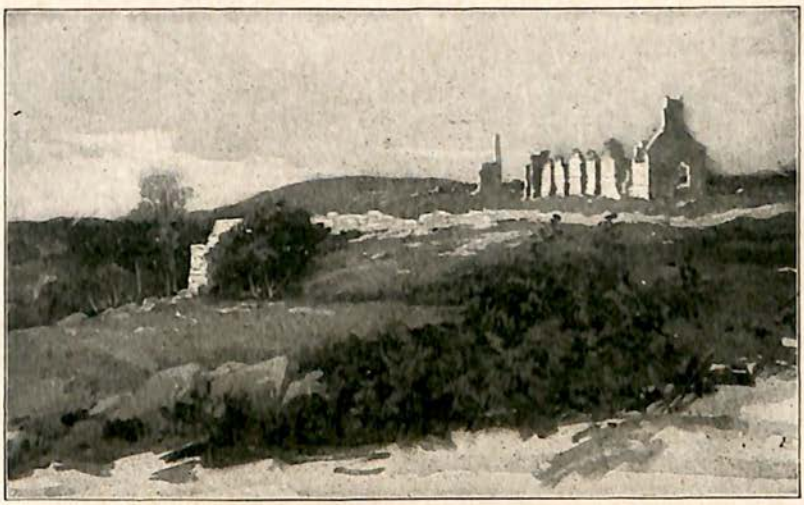
AN ACCOUNT OF THE CONCORD FIGHT

the river and seized the gunpowder stored at Williamsburg. There, too, the country rose,—under Mr. Henry himself as captain. They did not reach the scene soon enough to meet the marines,—there were no thick-set villages in that country-side to pour their armed men into the roads at a moment's summons,—but they forced the earl, their governor, to pay for the powder he had ordered seized and taken off.

The rude muster at Boston expanded into a motley yeoman army of sixteen thousand men within the first week of its sudden rally, and settled in its place to watch the town until the general Congress of the colonies at Philadelphia should give it countenance, and a commander. On the day the Congress met (May 10, 1775), Ethan Allen walked into the unguarded gates of the fort at Ticonderoga, at the head of a little force out of Vermont, and took possession of the stout place "in the name of the Great Jehovah and the Continental Congress," though he held a commission from neither; and two days later Crown Point, near by, was taken possession of in the same manner. When the Congress met it found itself no longer a mere "Congress of Committees," assembled for conference and protest. Its appeals for better government, uttered the last autumn, its arguments for colonial privilege, its protestations of loyalty and its prayers for redress, had been, one and all, not so much rejected as put by with contempt by the King and his ministers; and the mere movement of affairs was hurrying the colonies which it represented into

SIGNATURE OF ETHAN ALLEN

measures which would presently put the whole matter of its controversy with the government at home beyond the stage of debate.[1] Its uneasy members did not neglect to state their rights again, in papers whose moderation and temper of peace no candid man could overlook or deny; but they prepared for action also



RUINS OF FORT TICONDEROGA

quite as carefully, like practical men who did not deceive themselves even in the midst of hope.

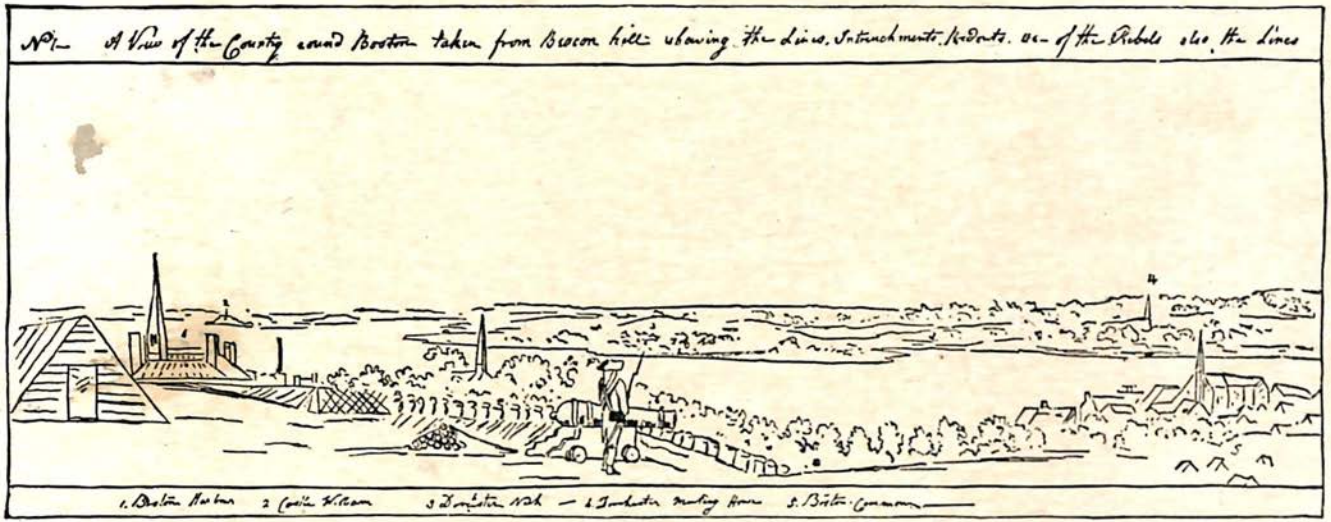
Colonel Washington had come to the Congress in his provincial uniform; and, if no one cared to ask a man with whom it was so obviously difficult to be familiar why he wore such a habit there, all were free to draw their own conclusions. It was, no doubt, his instinctive expression of personal feeling in the midst of all that was happening; and his service in the Congress was from first to last that of a soldier. Its committees consulted him almost every day upon some question of

[1] See page 254.

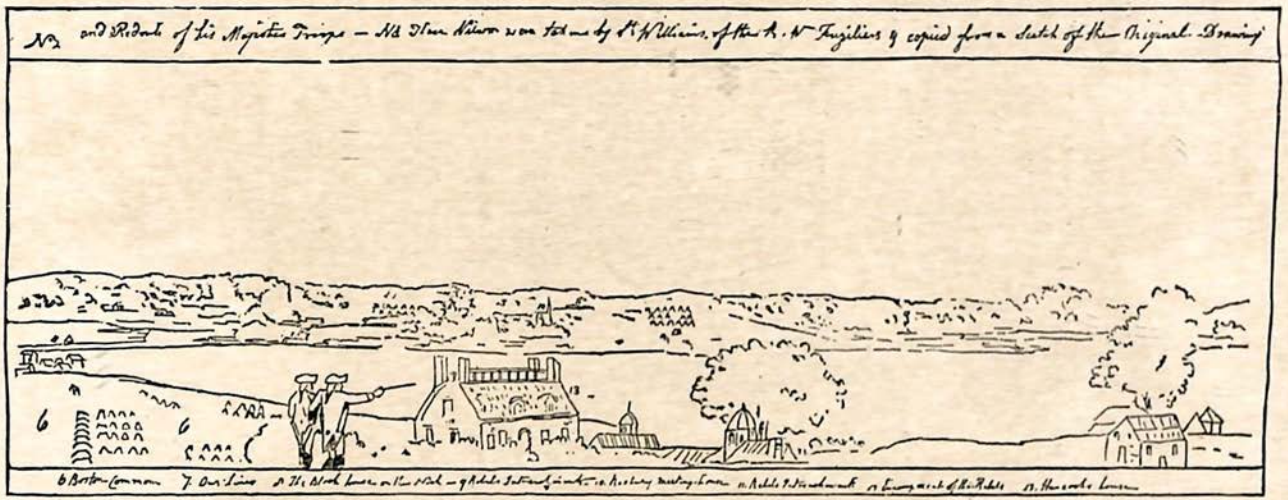
WATCHING THE FIGHT AT BUNKER HILL

military preparation: the protection of the frontier against the Indians, the organization of a continental force, the management of a commissariat, the gathering of munitions, proper means of equipment, feasible plans of fortification. While they deliberated, his own colony passed openly into rebellion. The 1st of June saw Virginia's last House of Burgesses assemble. By the 8th of the month Dunmore had fled his capital, rather than see a second time the anger of a Williamsburg mob, and was a fugitive upon one of his Majesty's armed vessels lying in the river. The colony had thenceforth no government save such as it gave itself; and its delegates at Philadelphia knew that there was for them no turning back.

On the 15th of June, on the motion of Mr. John Adams, the Congress chose Colonel Washington commander-in-chief of the American forces, and directed him to repair to Boston and assume command in the field. Two days later the British and the provincials met in a bloody and stubborn fight at Bunker Hill. On the 25th of May heavy reinforcements for General Gage had arrived from over sea which swelled the force of regulars in Boston to more than eight thousand men, and added three experienced general officers to Gage's council: William Howe, Sir Henry Clinton, and John Burgoyne. The British commanders saw very well, what was indeed apparent enough to any soldier, that their position in Boston could be very effectively commanded to the north and south on either hand by cannon placed upon the heights of Charlestown or Dorchester, and determined to occupy Charlestown heights at once, the nearer and more threatening position. But so leisurely did they go about it that the provincials


No. 1. A View of the Country round Boston taken from Beacon hill showing the Lines, Intrenchments, Redoubts, &c. of the Rebels also the Lines
1. Boston Harbor 2 Castle William 3 Dorchester Hill 4 Dorchester Meeting House 5 Boston Common

FROM BEACON HILL, 1775, NO. I. (LOOKING TOWARDS DORCHESTER HEIGHTS)


No 2 and Ridout of his Majesties Troops — NB Down Hill was taken by H. Williams. of the R. N. Fusiliers & copied from a sketch of the Original Drawing
6 Boston Common 7 Our Lines 8 The North Battery on the Neck — 9 Roxbury Meeting House 10 Roxbury Burying Ground 11 Dwelling House of Col. Ridout 12 The Neck Lines

FROM BEACON HILL, 1775, NO. 2. (LOOKING TOWARDS ROXBURY)

In Committee of Safety

Cambridge June 15th 1775

Whereas it appears of Importance to the Safety of this Colony that possession of the Hill Called Bunkers hill in Charlestown be Securely kept and defended: and also some one or hill on Dorchester be likewise Secured. Therefore Unanimously Resolved that it be recommended to the Council of War that the Abovementioned Bunkers hill be maintained by Sufficient force being posted there and as the particular Situation of Dorchester Neck is unknown to this Committee they advise that the Council of war take and persue such Steps respecting the Same as to them Shall appear to be for the Security of this Colony.

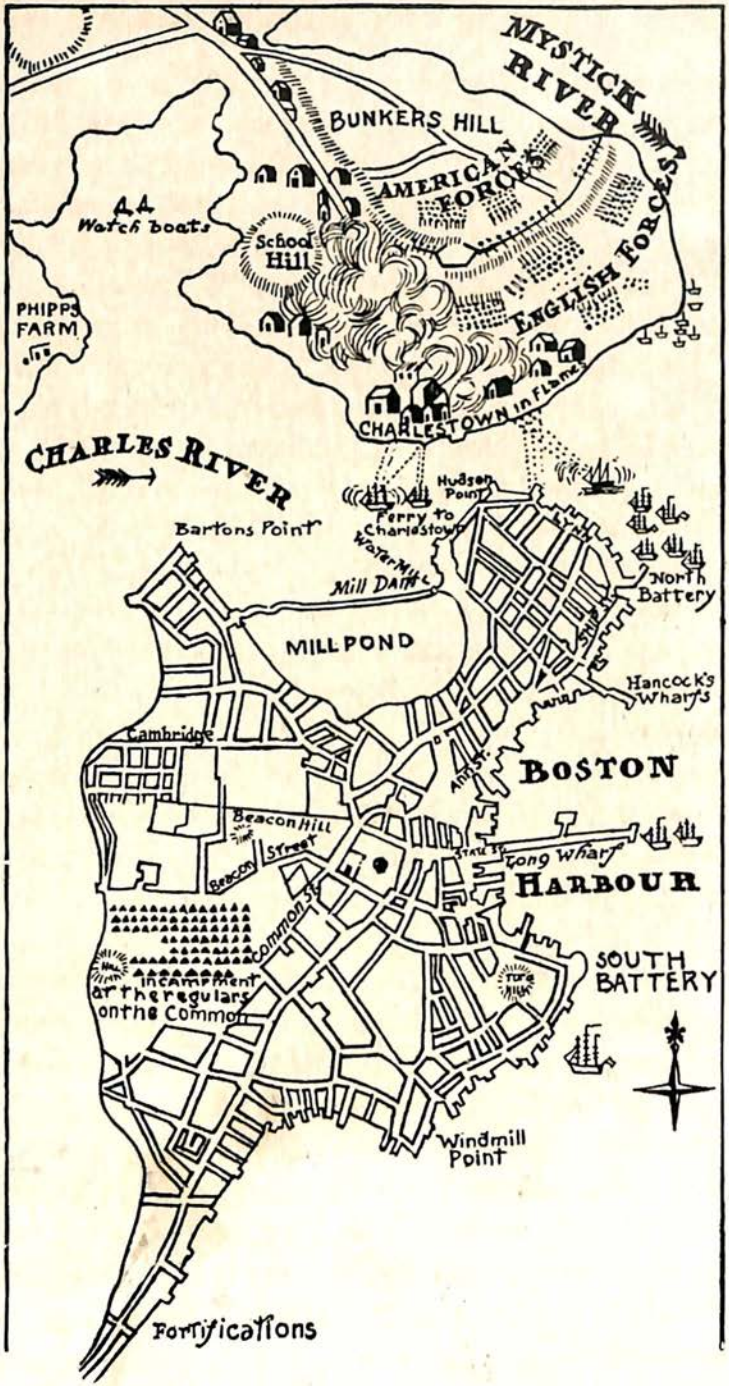
Benja. White Chairman

ORDER OF COMMITTEE OF SAFETY

were beforehand in the project. The early morning light of the 17th of June disclosed them still at work there on trenches and redoubts which they had begun at midnight. The British did not stop to use either the guns of the fleet or any caution of indirect approach to dislodge them, but at once put three thousand men straight across the water to take the hill, whose crest the Americans were fortifying, by direct assault. It cost them a thousand men; and the colonials retired, outnumbered though they were, only because their powder gave out, not their pluck or steadfastness. When the thing was done, the British did not care to take another intrenched position from men who held their fire till they were within a few score yards of them and then volleyed with the definite and deadly aim of marksmen.

Colonel Washington received his formal commission on the 19th, and was on horseback for the journey northward by the 21st. On the 3d of July he assumed command at Cambridge.[1] In choosing Washington for the command of the raw levies of Massachusetts, Connecticut, Rhode Island, and New Hampshire set down in impromptu siege before Boston, Mr. John Adams and the other New Englanders who acted with him had meant, not only to secure the services of the most experienced soldier in America, but also, by taking a man out of the South, to give obvious proof of the union and co-operation of the colonies. They had chosen better than they knew. It was no small matter to have so noticeable a man of honor and breeding at the head of an army whose enemies deemed it a mere peasant mob and rowdy assemblage of rebels. Washington himself, with his notions of authority, his pride of breeding, his schooling

[1] See page 276.



BOSTON AND BUNKER HILL, FROM A PRINT PUBLISHED IN 1781

in conduct and privilege, was far from pleased. till he began to see below the surface, with the disorderly array he found of uncouth, intractable plough boys and farmers, one esteeming himself as good as another, with free-and-easy manners and a singular, half-indifferent insolence against authority or discipline.

"There are some fine fellows come from Virginia," Joseph Reed, of Pennsylvania, had written of the Virginian delegates to the Congress at Philadelphia; "but they are very high. We understand they are the capital men of the colony." It was good that one of the masterful group should ride all the public way from Philadelphia to Boston to take command of the army, the most conspicuous figure in the colonies, showing every one of the thousands who crowded to greet or see him as he passed how splendid a type of self-respecting gentlemen was now to be seen at the front of affairs, putting himself forward soberly and upon principle. The leaders of the revolt in Massachusetts were by no means all new men like John Adams or habitual agitators like Samuel Adams; many a man of substance and of old lineage had also identified himself with the popular cause. But new, unseasoned men were very numerous and very prominent there among those who had turned affairs upside down; a very great number of the best and oldest families of the colony had promptly ranged themselves on the side of the government; the revolution now at last on foot in that quarter could too easily be made to look like an affair of popular clamor, a mere rising of the country. It was of signal advantage to have high personal reputation and a strong flavor, as it were, of aristocratic distinction given it by this fortunate choice the Congress had

made of a commander. It was no light matter to despise a cause which such men openly espoused and stood ready to fight for.

The British lay still till Washington came, and gave him the rest of the year, and all the winter till spring returned, in which to get his rude army into fighting shape,—why, no one could tell, not even their friends and spokesmen in Parliament. The Americans swarmed busy on every hand. It proved infinitely difficult for them to get supplies, particularly arms and ammunition; but slowly, very slowly, they came in. General Washington was but forty-three, and had an energy which was both imperative and infectious. His urgent, explicit, businesslike letters found their way to every man of influence and to every colonial committee or assembly from whom aid could come. Cannon were dragged all the way from Ticonderoga for his use. The hardy, danger-loving seamen of the coasts about him took very cheerfully to privateering; intercepted supply ships and even transports bound for Boston; brought English merchantmen into port as prizes; cut ships out from under the very guns of a British man-of-war here and there in quiet harbors. Food and munitions intended for the British regiments at Boston frequently found their way to General Washington's camps instead, notwithstanding Boston harbor was often full of armed vessels which might have swept the coasts. The commanders in Boston felt beset, isolated, and uneasy, and hesitated painfully what to do.

The country at large was open to the insurgent forces, to move in as they pleased. In the autumn Colonel Montgomery, the gallant young Irish soldier who had served under Wolfe at Quebec, led a continental force

northward through the wilderness; took the forts which guarded the northern approaches to Lake Champlain; and occupied Montreal, intercepting and taking the little garrison which left the place in boats to make its way down the river. Meanwhile Colonel Benedict Arnold was at the gates of Quebec, and Montgomery pushed forward to join him. Colonel Arnold had forced his way in from the coast through the thick forests of Maine, along the icy streams of the Kennebec and the Chaudière. The bitter journey had cost him quite a third of the little force with which Washington had sent him forth. He had but seven hundred men with whom to take the all but impregnable place, and Montgomery brought but a scant five hundred to assist him. But the two young commanders were not to be daunted. They loved daring, and touched all who followed them with their own indomitable spirit. In the black darkness of the night which preceded the last day of the year (December 31, 1775), amidst a blinding storm of snow, they threw themselves upon the defences of the place, and would have taken it had not Montgomery lost his life ere his men gained their final foothold within the walls. The Congress at Philadelphia had at least the satisfaction of receiving the colors of the Seventh Regiment of his Majesty's regulars, taken at Fort Chambly, as a visible token of Montgomery's exploits at the northern outlet of Champlain; and every added operation of the Americans, successful or unsuccessful, added to the feeling of isolation and uneasiness among the British at Boston.

October 10, 1775, Sir William Howe superseded General Gage as commander-in-chief in the closely watched and invested town; but the change of commanders

made little difference. Every one except the sailors, the foragers, the commissaries, the drill sergeants,

Richd Montgomery

RICHARD MONTGOMERY

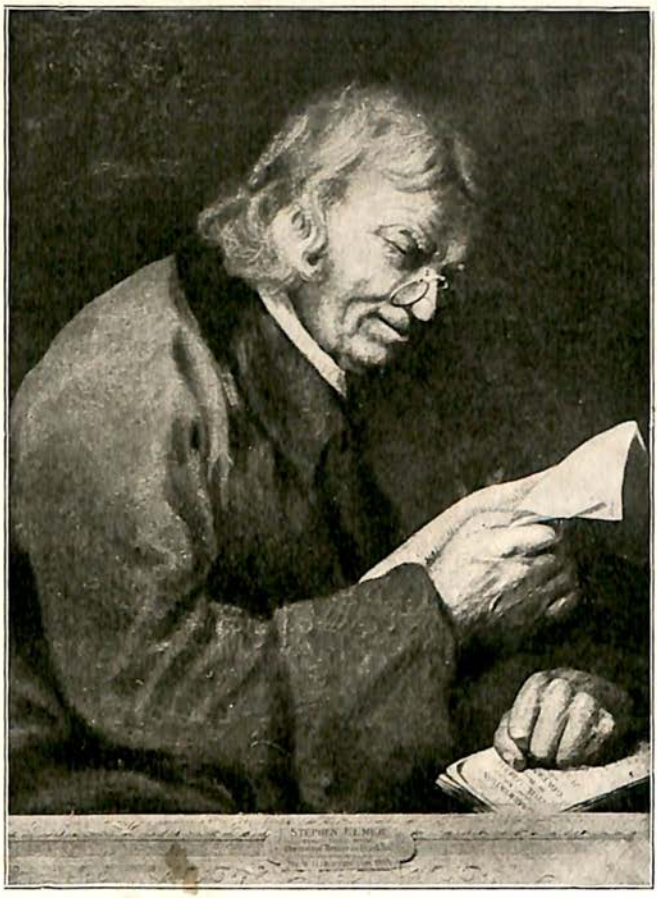
the writing clerks, the colonial assemblies, the congressional and local committees, lay inactive till March came, 1776, and Washington was himself ready to

take the offensive. At last he had such cannon and such tools and stores and wagons and teams as he had been asking and planning and waiting for the weary, anxious winter through. On the morning of the 5th of March the British saw workmen and ordnance and every sign of a strong force of provincials on Dorchester heights, and were as surprised as they had been, close upon a year before, to see men and trenches on Bunker Hill. Washington had done work in the night which it was already too late for them to undo; a storm beat the waters of the bay as the day wore on and made it impossible to put troops across to the attack in boats; Washington had all the day and another night in which to complete his defences; and by the morning of the 6th the British knew that the heights could not be taken without a risk and loss they could not afford. The town was rendered untenable at a stroke.[1] With deep chagrin, Howe determined upon an immediate evacuation; and by the 17th he was aboard his ships, —eight thousand troops and more than a thousand loyalists who dared not stay. The stores and cannon, the ammunition, muskets, small-arms, gun carriages, and supplies of every kind which he found himself obliged to leave behind enriched Washington with an equipment more abundant than he could ever have hoped to see in his economical, ill-appointed camp at Cambridge.

The only British army in America had withdrawn to Halifax: his Majesty's troops had nowhere a foothold in the colonies. But that, every one knew, was only the first act in a struggle which must grow vastly greater and more tragical before it was ended. Washington knew very well that there was now no drawing back.

[1] See page 284.

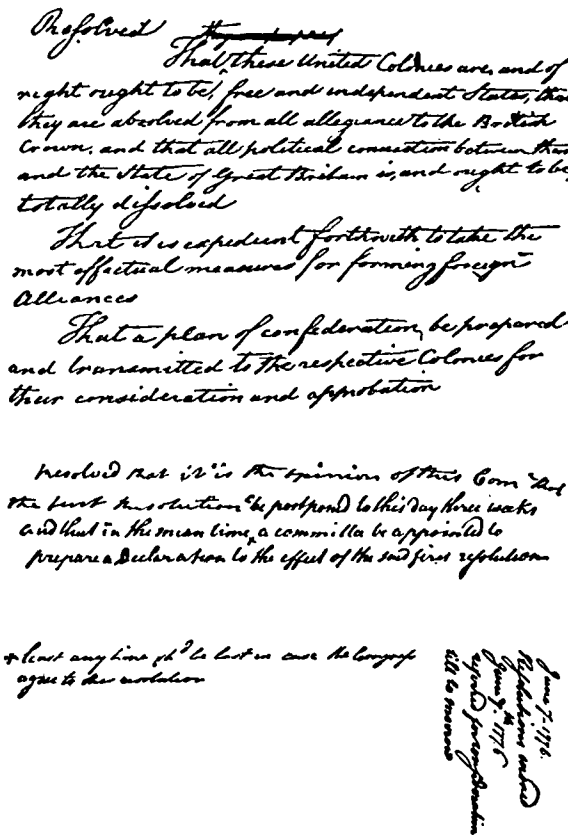
Not since the affair at Bunker Hill had he deemed it possible to draw back; and now this initial success in arms had made the friends of revolution very bold



BENJAMIN FRANKLIN AS A POLITICIAN

everywhere. As spring warmed into summer it was easy to mark the growth in the spirit of independence. One of the first measures of the Continental Congress, after coming together for its third annual session in May, 1776, was to urge the several colonies to provide

themselves with regular and permanent governments as independent states, instead of continuing to make shift with committees of safety for executives and provisional "provincial congresses" for legislatures, as



R. H. LEE'S RESOLUTION FOR INDEPENDENCE

they had done since their government under the crown had fallen to pieces; and they most of them promptly showed a disposition to take its advice. The resolution in which the Congress embodied this significant counsel plainly declared "that the exercise of every kind of

authority under the crown ought to be totally suppressed," and all the powers of government exercised under authority from the people of the colonies,—words themselves equivalent to a declaration for entire separation from Great Britain. Even in the colonies where loyalists mustered strongest the government of the crown had in fact almost everywhere been openly thrown off. But by midsummer it was deemed best to make a formal Declaration of Independence. North Carolina was the first to instruct her delegates to take

STATE HOUSE, PHILADELPHIA, 1778

that final and irretrievable step; but most of the other colonies were ready to follow her lead; and on July 4th Congress adopted the impressive Declaration which Mr. Jefferson had drawn up in the name of its committee.[1]

Washington himself had urgently prayed that such a step be taken, and taken at once. It would not change, it would only acknowledge, existing facts; and it might a little simplify the anxious business he was about. He had an army which was always making and to be made, because the struggle had been calculated upon a short scale and the colonies which were contributing their half-drilled contingents to it were enlisting their men for only three months at a time. Sometimes the

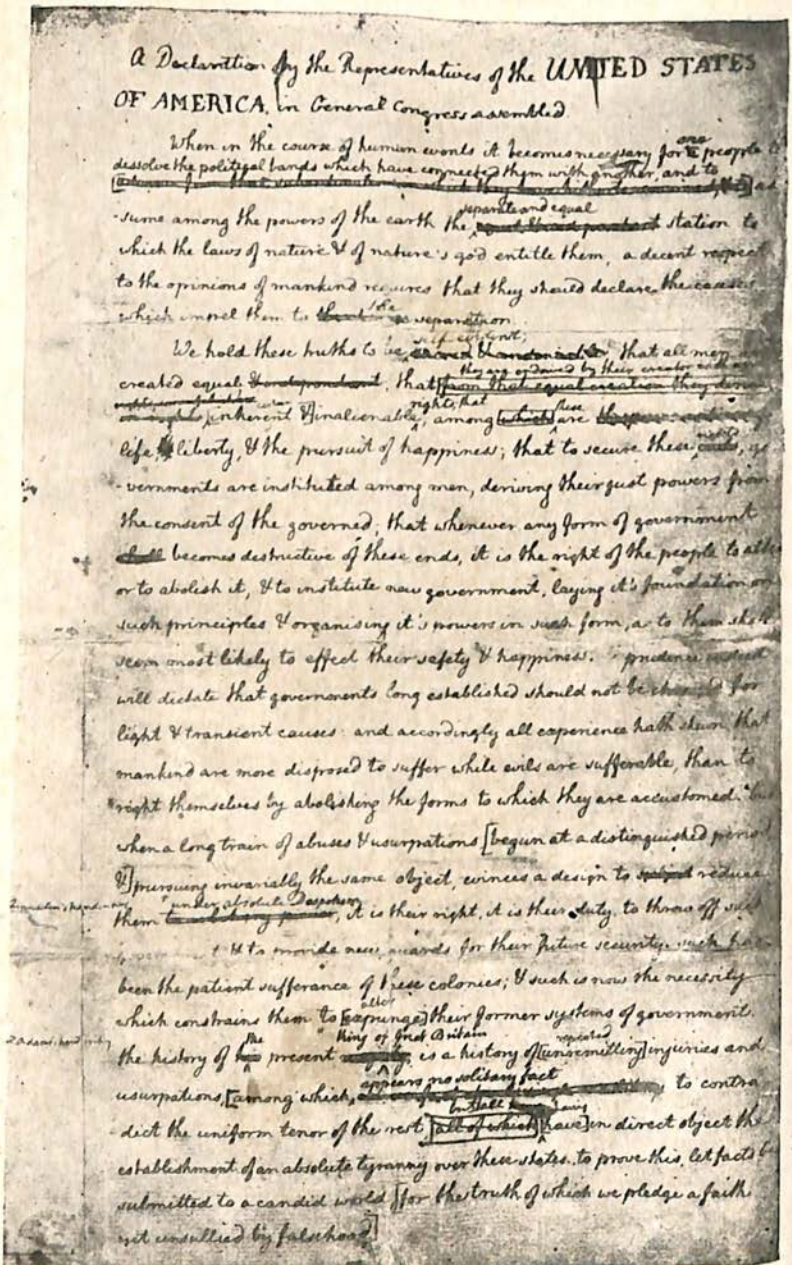
[1] See pages 290 and 293.

men would consent to re-enlist, sometimes they would not. They did as they pleased, of course, and would time and again take themselves off by whole companies at once when their three months' term was up. Sir William Howe would come back, of course, with a force increased, perhaps irresistible: would come, Washington foresaw, not to Boston, where he could be cooped

SIGNATURE OF THOMAS JEFFERSON

up and kept at bay, but to New York, to get control of the broad gateway of the Hudson, whose long valley had its head close to the waters of Lake George and Lake Champlain, and constituted an infinitely important strategic line drawn straight through the heart of the country, between New England, which was no doubt hopelessly rebellious, and the middle colonies, in which the crown could count its friends by the thousand. The Americans must meet him, apparently, with levies as raw and as hastily equipped as those out of which an army of siege had been improvised at Boston, each constituent part of which would fall to pieces and have to be put together again every three months.

The worst of it was, that the country back of New York had not been, could not be, purged of active loyalists as the country round about Boston had been by the local "committees" of one sort or another and by the very active and masterful young men who had banded themselves together as "Sons of Liberty," see-



A Declaration by the Representatives of the UNITED STATES OF AMERICA, in General Congress assembled.

When in the course of human events it becomes necessary for a people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature & of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that from that equal creation they derive rights inherent & inalienable, among which are the preservation of life, & liberty, & the pursuit of happiness; that to secure these ends, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, & to institute new government, laying it's foundation on such principles & organising it's powers in such form, as to them shall seem most likely to effect their safety & happiness. prudence indeed will dictate that governments long established should not be changed for light & transient causes: and accordingly all experience hath shewn that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. but when a long train of abuses & usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, & to provide new guards for their future security. such has been the patient sufferance of these colonies; & such is now the necessity which constrains them to expunge their former systems of government. the history of the present king of Great Britain is a history of repeated injuries and usurpations, among which appears no solitary fact to contradict the uniform tenor of the rest, all of which have in direct object the establishment of an absolute tyranny over these states. to prove this, let facts be submitted to a candid world, for the truth of which we pledge a faith yet unsullied by falsehood.

JEFFERSON'S ORIGINAL DRAFT OF THE DECLARATION OF INDEPENDENCE

he has refused his assent to laws the most wholesome and necessary for the public good:

he has forbidden his governors to pass laws of immediate & pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected ~~utterly~~ to attend to them.

he has refused to pass other laws for the accomodation of large districts of people unless those people would relinquish the right of representation in the legislature, a right inestimable to them & formidable to tyrants only:

he has called together legislative bodies at places unusual, uneasy & from the depositing of their public records for the sole purpose of fatigue & for [illegible] with his measures.

~~[illegible]~~, he has refused for a long ~~space of time~~ time after such dissolutions to cause others to be elected, & [illegible] ~~[illegible]~~ the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the mean time exposed to all the dangers of invasion from without & convulsions within:

he has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, & raising the conditions of new appropriations of lands:

he has [suffered] the administration of justice totally to cease in some of these states, refusing his assent to laws for establishing judiciary powers:

he has made [our] judges dependant on his will alone, for the tenure of their offices, and the + & payment amount of their salaries:

he has erected a multitude of new offices [by a self-assumed power,] & sent hither swarms of officers to harrass our people & eat out their substance:

he has kept among us in times of peace, standing armies [& ships of war,] without the consent of our legislature:

he has affected to render the military, independent of & superior to the civil power:

he has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknoleged by our laws; giving his assent to their acts of pretended ~~acts~~ legislation, for quartering large bodies of armed troops among us;

for protecting them by a mock-trial from punishment for any murders which they should commit on the inhabitants of these states;

for cutting off our trade with all parts of the world;

for imposing taxes on us without our consent;

for depriving us in many cases of the benefits of trial by jury;

for transporting us beyond seas to be tried for pretended offences:

for abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example & fit instrument for introducing the same absolute [illegible] to these [illegible]

Franklin

abolishing our most valuable laws

for taking away our charters, altering fundamentally the forms of our governments

for suspending our own legislatures & declaring themselves invested with power to

legislate for us in all cases whatsoever

he has abdicated government here, [withdrawing his governors, & declaring us out

of his allegiance & protection:]

he has plundered our seas, ravaged our coasts, burnt our towns & destroyed the

lives of our people

he is at this time transporting large armies of foreign mercenaries to compleat

these works of death, desolation & tyranny, already begun with circumstances

of cruelty & perfidy unworthy the head of a civilized nation:

he has endeavored to bring on the inhabitants of our frontiers the merciless Indian

savages, whose known rule of warfare is an undistinguished destruction of

all ages, sexes, & conditions [of existence.]

[he has incited treasonable insurrections of our fellow-citizens, with the

allurements of forfeiture & confiscation of our property.

he has waged cruel war against human nature itself, violating it's most sa-

cred rights of life & liberty in the persons of a distant people who never of-

fended him, captivating & carrying them into slavery in another hemi-

sphere, or to incur miserable death in their transportation thither. this

piratical warfare, the opprobrium of infidel powers, is the warfare of the

Christian king of Great Britain. determined to keep open a market

where MEN should be bought & sold. he has prostituted his negative

for suppressing every legislative attempt to prohibit or to restrain this

execrable commerce: and that this assemblage of horrors might want no fact

of distinguished die, he is now exciting those very people to rise in arms

among us, and to purchase that liberty of which he has deprived them,

by murdering the people upon whom he also obtruded them: thus paying

off former crimes committed against the liberties of one people, with crimes

which he urges them to commit against the lives of another.]

In every stage of these oppressions we have petitioned for redress in the most humble

terms; our repeated petitions have been answered only by repeated injuries. a prince

whose character is thus marked by every act which may define a tyrant, is unfit

to be the ruler of a people who mean to be free. future ages will scarce believe

that the hardiness of one man adventured within the short compass of twelve years

only, to lay a foundation so broad & so undisguised for tyranny over a people fostered & fixed in principles

of liberty. freedom.]

Nor have we been wanting in attentions to our British brethren. we have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over these our states. we have reminded them of the circumstances of our emigration & settlement here, no one of which could warrant so strange a pretension: that these were effected at the expence of our own blood & treasure, unassisted by the wealth or the strength of Great Britain. that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league & amity with them: but that submission to their parliament was no part of our constitution nor could it ever consistently be so admitted: and we appealed to their native justice & magnanimity as well as to the ties of our common kindred to disavow these usurpations which were likely to interrupt our connection & correspondence. They too have been deaf to the voice of justice & of consanguinity. & when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have by their free election re-established them in power. at this very time too they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch & foreign mercenaries to invade & destroy us. These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce for ever these unfeeling brethren. we must endeavor to forget our former love for them, and to hold them as we hold the rest of mankind, enemies in war, in peace friends. we might have been a free & a great people together, but a communication of grandeur & of freedom it seems is below their dignity. be it so, since they will have it. the road to happiness, is open to us too. we will tread it apart from them, and acquiesce in the necessity which denounces our separation!

We therefore the representatives of the United States of America in General Congress assembled, do in the name & by authority of the good people of these colonies reject and renounce all allegiance & subjection to the kings of Great Britain & all others who may hereafter claim by, through, or under them; we utterly dissolve all political connection which may have heretofore subsisted between us & the people or parliament of Great Britain; and finally we do assert and declare these colonies to be free and independant states, and that as free & independant states they have full power to levy war, conclude peace, contract alliances, establish commerce, & to do all other acts and things which independant states may of right do. And for the support of this declaration we mutually pledge to each other our lives, our fortunes, & our sacred honour.

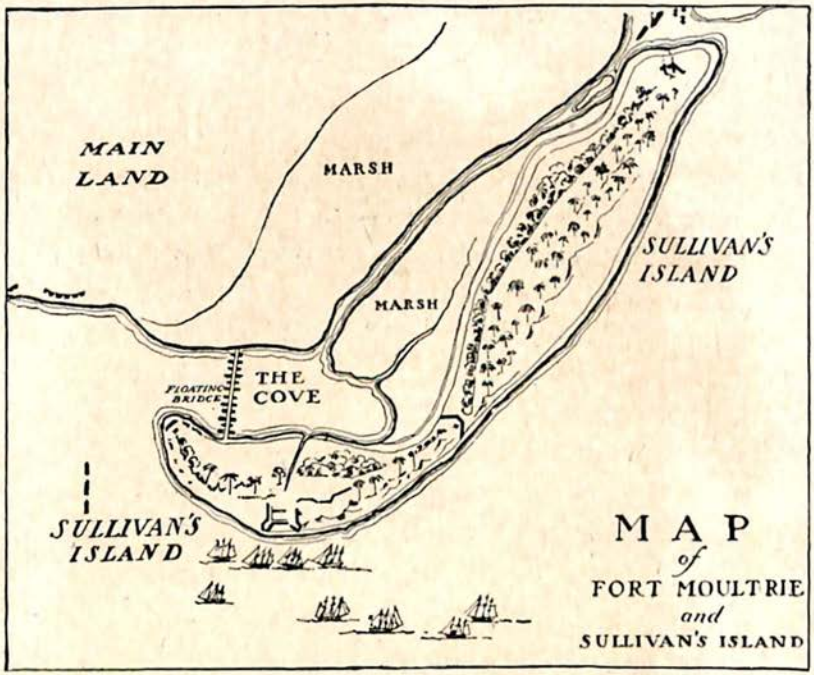
REAR VIEW OF INDEPENDENCE HALL

ing much rich adventure, and for the present little responsibility, ahead of them in those days of government by resolution. Washington transferred his headquarters to New York early in April and set about his almost hopeless task with characteristic energy and fertility of resource; but there were spies without number all about him, and every country-side was full of enemies who waited for General Howe's coming to give him trouble. The formal Declaration of Independence which the Congress adopted in July hardened the face and stiffened the resolution of every man who had definitely thrown in his lot with the popular cause, as Washington had foreseen that it would, just because it made resistance avowed rebellion, and left no way of retreat or compromise. But it also deeply grieved and alienated many a man

of judgment and good feeling, and made party differences within the colonies just so much the more bitter and irreconcilable.

The first attempt of the British was made against Charleston in the south. A fleet under Sir Peter Parker came out of England with fresh troops commanded by the Earl of Cornwallis, was joined by transports and men-of-war from Halifax, bearing a force under Sir Henry Clinton, and, as June drew towards its close, delivered a combined attack, by land and sea, upon the fort on Sullivan's Island, seeking to win its way past to the capture of Charleston itself. But they could not force a passage. Two of the ships,—one of them Sir Peter's own flag-ship,—never came away again. Colonel Moultrie and Colonel Thompson beat

THE PRESIDENT'S CHAIR IN THE CONSTITUTIONAL CONVENTION

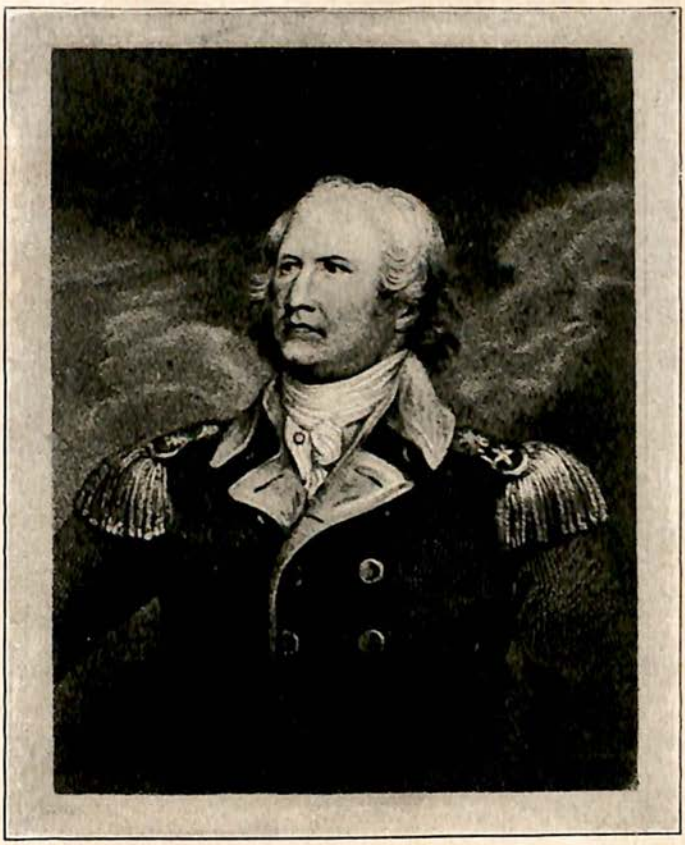


MAP OF SULLIVAN'S ISLAND

off both the fleet and the troops landed from it; and the British went northward again to concentrate upon New York.

On the 28th of June,—the very day of the attack at Charleston,—Howe's transports began to gather in the lower bay. A few days more, and there were thirty thousand troops waiting to be landed. It was impossible, with the force Washington had, to prevent their being put ashore at their commander's convenience. It was impossible to close the Narrows, to keep their ships from the inner bay, or even to prevent their passing up the river as they pleased. Washington could only wait within the exposed town or within his trenches on Brooklyn heights, which commanded the town al-

most as Dorchester and Charlestown heights commanded Boston.



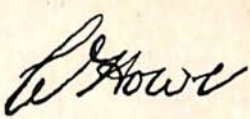
WILLIAM MOULTRIE

For a month and more Sir William waited, his troops most of them still upon the ships, until he should first attempt to fulfil his mission of peace and accommo-

dation. His brother, Admiral Lord Howe, joined him there in July. They were authorized to offer unconditional pardon, even now, to all who would submit. The ministers in England could not have chosen commissioners of peace more acceptable to the Americans or more likely to be heard than the Howes. Not only were they men of honor, showing in all that they did the straightforward candor and the instinctive sense of duty that came with their breeding and their training in arms, but they were also brothers of that gallant young soldier who had come over almost twenty years ago to fight the French with Abercrombie, to be loved by every man who became his comrade, and to lose his life untimely fighting forward through the forests which lay about Ticonderoga, a knightly and heroic figure. But they could offer no concessions,—only pardon for utter submission, and, for all their honorable persistency, could find no one in authority among the Americans who would make the too exacting exchange. Their offers of pardon alternated with the movements of their troops and their steady successes in arms. Lord Howe issued his first overture of peace, in the form of a public proclamation offering pardon, immediately upon his arrival with his fleet at Sandy Hook, and followed it up at once with messages to the Congress at Philadelphia. Sir William Howe put his troops ashore on the 22d of August, and made ready to dislodge Washington from the heights of Brooklyn; but on the 23d he too, in his turn, made yet another offer of general pardon, by proclamation.

On the 27th he drove the American forces on Long Island in on their defences, and rendered the heights at once practically untenable. Washington had but

eighteen thousand half-disciplined militiamen with which to hold the town and all the long shores of the



SIR WILLIAM HOWE

open bay and river, and had put ten thousand of them across the river to hold Long Island and the defences on the heights. Sir William had put twenty

thousand men ashore for the attack on the heights; and when Washington knew that his advanced guard was driven in, and saw Sir William, mindful of Bunker Hill, bestow his troops, not for an assault, but for an investment of the heights, he perceived at once how easily he might be cut off and trapped there, armed ships lying at hand which might at any moment completely command the river. Immediately, and as secretly as quickly, while a single night held, he withdrew every man and every gun, as suddenly and as successfully as he had seized the heights at Dorchester.

Again Sir William sent a message of conciliation to the Congress, by the hands of General Sullivan, his prisoner. On the 11th of September, before the next movement of arms, Dr. Franklin, Mr. John Adams, and Mr. Edward Rutledge met Lord Howe and Sir William, as commissioners from the Congress, to discuss possible terms of accommodation. Dr. Franklin had been in London until March. During the past winter he had more than once met Lord Howe in earnest conference about American affairs, the ministers wishing to find through him some way, if it were possible, of quieting the colonies. But the ministers had not been willing then to make the concessions which might have ended the trouble, and their commissioners were not authorized to make them now; and the conference with the representatives of the Congress came to nothing, as the conferences in London had come to nothing.

Washington could no more hold Manhattan Island with the forces at his command than he could hold Brooklyn heights. He had no choice in the end but to retire. General Howe was cautious, moved slowly, and handled his forces with little energy or decision;

BY HIS EXCELLENCY

WILLIAM HOWE,

MAJOR GENERAL, &c. &c. &c.

AS Linnen and Woolen Goods are Articles much wanted by the Rebels, and would aid and aſſiſt them in their Rebellion, the Commander in Chief expects that all good Subjects will uſe their utmoſt Endeavors to have all ſuch Articles convey'd from this Place: Any who have not Opportunity to convey their Goods under their own Care, may deliver them on Board the Minerva at Hubbard's Wharf, to *Crean Brush*, Eſq; mark'd with their Names, who will give a Certificate of the Delivery, and will oblige himſelf to return them to the Owners, all unavoidable Accidents accepted.

If after this Notice any Perſon ſecretes or keeps in his Poſſeſſion ſuch Articles, he will be treated as a Favourer of Rebels.

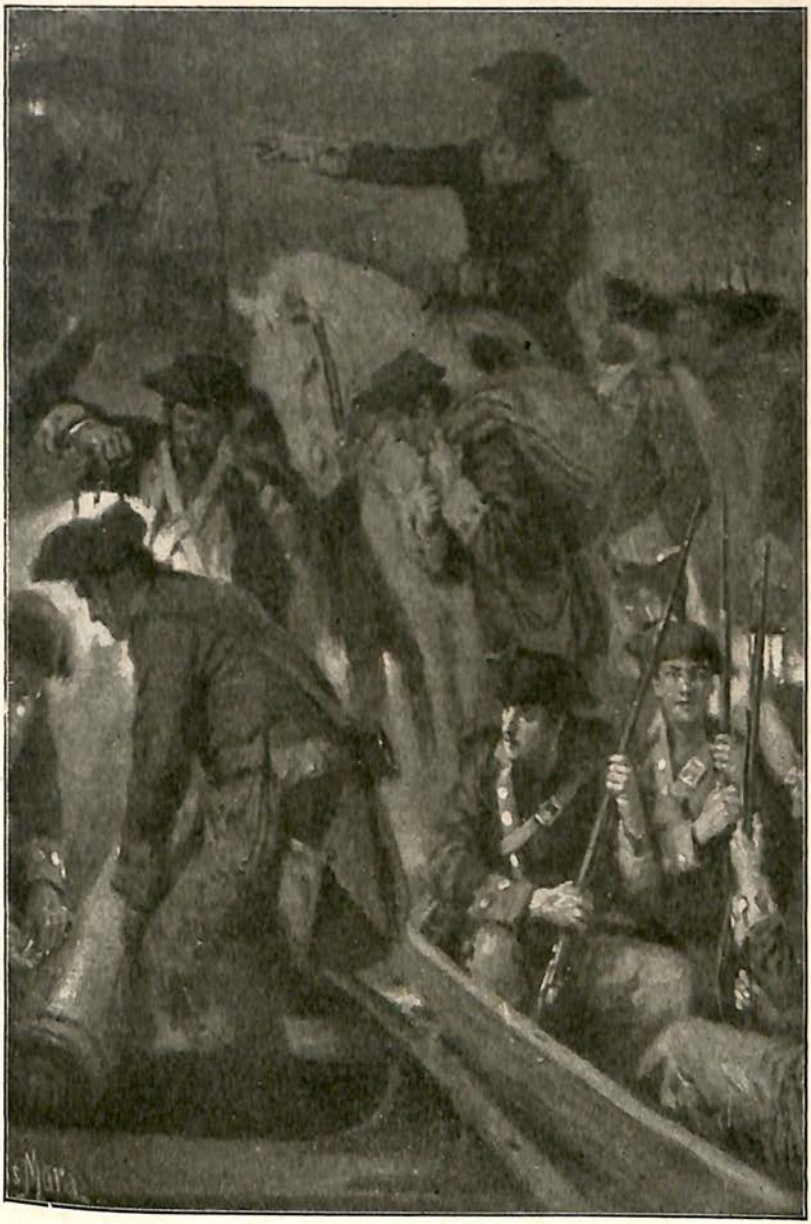
Boſton, March 10th, 1776.

HOWE'S PROCLAMATION PREPARATORY TO LEAVING BOSTON

Washington made stand and fought at every point at which there was the least promise of success. His men and his commanders were shamefully demoralized by their defeat on Long Island, but he held them together with singular tact and authority: repulsed the enemy at Haarlem heights (September 16th), held his own before them at White Plains (October 28th),—and did not feel obliged to abandon the island until late in November, after General Greene had fatally blundered by suffering three thousand of the best trained men of the scant continental force, with invaluable artillery, small-arms, and stores, to be trapped and taken at Fort Washington (November 16th).

When he did at last withdraw, and leave Howe in complete control of the great port and its approaches, the situation was indeed alarming. He had been unspeakably stung and disquieted, as he withdrew mile by mile up the island, to see how uncertain his men were in the field,—how sometimes they would fight and sometimes they would not at the hot crisis of a critical encounter; and now things seemed to have gone utterly to pieces. He might at any moment be quite cut off from New England. While he still faced Howe on Manhattan Island, General Carleton, moving with a British force out of Canada, had driven Benedict Arnold up Champlain, despite stubborn and gallant resistance (October 11th and 13th), and on the 14th of October had occupied Crown Point. There he had stopped; and later news came that he had withdrawn. But apparently he could strike again almost when he pleased, and threaten all the long line of the Hudson even to where Howe lay at New York itself.

It was not mere defeat, however, that put the cast



EVACUATION OF BROOKLYN HEIGHTS

almost of despair upon affairs as Washington saw them that dismal autumn. His forces seemed to melt away under his very eyes. Charles Lee, his chief subordinate in command, too much a soldier of fortune to be a man of honor, obeyed or disregarded his orders at his own discretion. When once it was known that General Washington had been obliged to abandon the Hudson, consternation and defection spread everywhere. On the 30th of November, when his defeat seemed complete, it might be final, the Howes joined in a fresh proclamation of pardon, inviting all, once again, to submit and be forgiven; and it looked for a little as if all who dared would take advantage of the offer and make their peace with the enemy,—for Washington now moved in a region where opinion had from the first been sharply divided. While defection spread he was in full retreat, with scarcely three thousand men all told in his demoralized force, —that handful ill-clad and stricken with disease, and dwindling fast by desertion,—an overwhelming body of the enemy, under Cornwallis, at his very heels as he went, so that he dared hardly so much as pause for rest until he had put the broad shelter of the Delaware behind him. "These are the times that try men's souls," cried Thomas Paine (December, 1776); "the summer soldier and the sunshine patriot" were falling away. One after another, that very summer, the delegates of the several states had put their names to the Declaration of Independence; but already there seemed small prospect of making it good. To not a few it already began to seem a piece of mere bravado, to be repented of.

The real strength and hope of the cause lay in the

IN COUNCIL OF SAFETY,

PHILADELPHIA, *December* 8, 1776.

SIR,

THERE is certain intelligence of General Howe's army being yesterday on its march from Brunswick to Princetown, which puts it beyond a doubt that he intends for this city —This glorious opportunity of signalizing himself in defence of our country, and securing the Rights of America forever, will be seized by every man who has a spark of patriotic fire in his bosom. We entreat you to march the Militia under your command with all possible expedition to this city, and bring with you as many waggons as you can possibly procure, which you are hereby authorized to impress, if they cannot be had otherwise—Delay not a moment, it may be fatal and subject you and all you hold most dear to the ruffian hands of the enemy, whose cruelties are without distinction and unequalled.

By Order of the Council,

DAVID RITTENHOUSE, Vice-President.

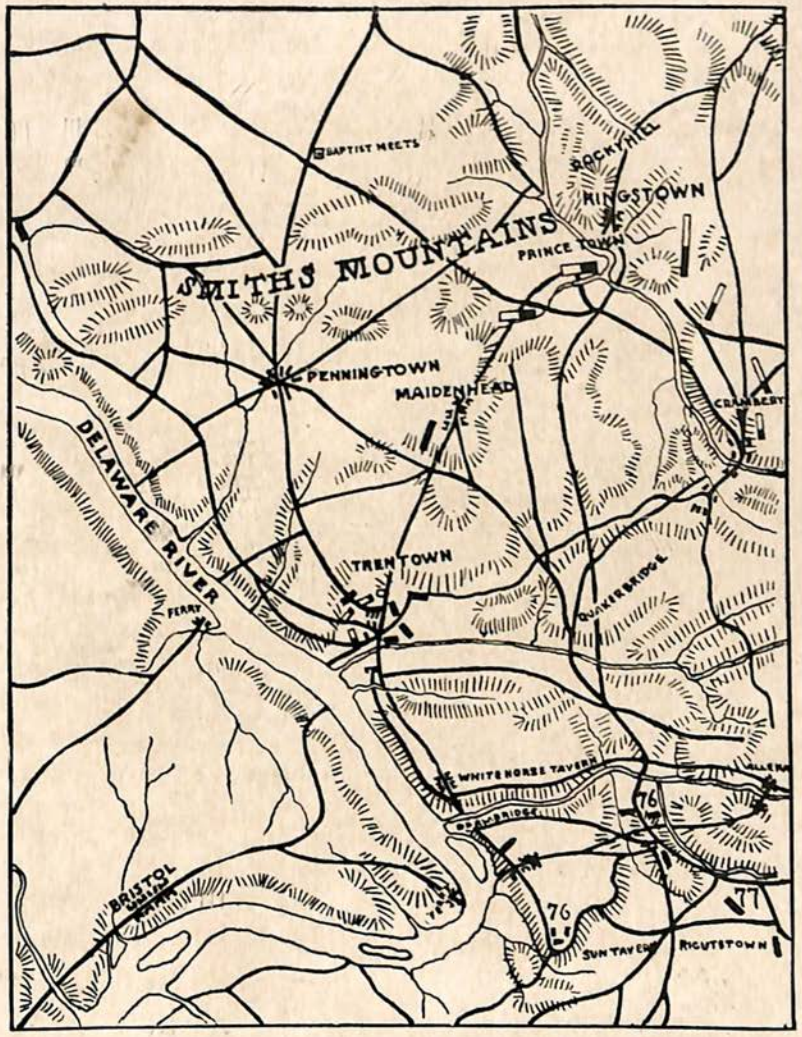
To the COLONELS *or* COMMANDING OFFICERS *of the respective* Battalions *of this* STATE.

TWO O'CLOCK, P. M.

THE Enemy are at Trenton, and all the City Militia are marched to meet them.

steadfastness and the undaunted initiative of the indomitable Virginian whom the Congress had chosen for the chief command. He proved himself a maker as well as a commander of armies, struck oftenest when he was deemed most defeated, could not by any reverse be put out of the fighting. He was now for the first time to give the British commanders a real taste of his quality. What there was to be done he did himself. The British stopped at the Delaware; but their lines reached Burlington, within eighteen miles of Philadelphia, and from Trenton, which they held in some force, extended through Princeton to New Brunswick and their headquarters at New York. Philadelphia was stricken with utter panic. Sick and ragged soldiers poured in from Washington's camp, living evidences of what straits he was in, and had to be succored and taken care of; the country roads were crowded with vehicles leaving the town laden with women and children and household goods; the Congress itself incontinently fled the place and betook itself to Baltimore. Washington's military stores were in the town, but he could get no proper protection for them. It was at that very moment, nevertheless, that he showed all the world with what skill and audacity he could strike. By dint of every resolute and persistent effort he had before Christmas brought his little force to a fighting strength of some six thousand. More than half of these were men enlisted only until the new year should open, but he moved before that.

During the night of Christmas Day, 1776, ferried by doughty fishermen from far Gloucester and Marblehead,—the same hardy fellows who had handled his boats the night he abandoned the heights of Brook-



OPERATIONS AROUND TRENTON AND PRINCETON. NUMBERS 76 REPRESENT THE CAMPS OF GENERAL CORNWALLIS AND 77 THAT OF GENERAL KNYPHAUSEN ON THE 23D OF JUNE, 1777

lyn,—he got twenty-five hundred men across the river through pitchy darkness and pounding ice; and in the early light and frost of the next morning he took Trenton,[1] with its garrison of nine hundred Hessians, at the point of the bayonet. There he waited,—keeping his unwilling militiamen to their service past the opening of the year by dint of imperative persuasion and a pledge of his own private fortune for their pay,—until Cornwallis came down post-haste out of New York with eight thousand men. Moving only to change his position a little. he dared to wait until his adversary was encamped, at nightfall of the 2d of January, 1777, within ear-shot of his trenches; then slipped northward in the night, easily beat the British detachment posted at Princeton, as the next day dawned and had its morning; and could have taken or destroyed Cornwallis's stores at New Brunswick had his men been adequately shod to outstrip the British following hard behind them. As it was, he satisfied himself with having completely flanked and thwarted his foe, and withdrew safe to the heights of Morristown. The British had hastily retired from Burlington upon the taking of Trenton,—so hastily that they took neither their cannon nor even their heavier baggage away with them. Now they deemed it unsafe to take post anywhere south of New Brunswick, until spring should come and they could see what Washington meant to do. Once again, therefore, the Americans controlled New Jersey; and Washington ordered all who had accepted General Howe's offer of pardon either to withdraw to the British lines or take the oath of allegiance to the United States. Daring and a touch of genius had turned despair into hope. Americans did not

[1] See page 302.

soon forget that sudden triumph of arms, or that the great Frederick of Prussia had said that that had been the most brilliant campaign of the century.

A soldier's eye could see quickly and plainly enough how the whole aspect of the war had been changed by those brief, sudden, unexpected strokes at Trenton and Princeton. Men near at hand, and looking for what a soldier would deem it no business of his to reckon with, saw that it had not only radically altered the military situation, but also the very atmosphere of the times for all concerned. The fighting at Trenton and Princeton had been of no great consequence in itself, but it had in every way put the war beyond its experimental stage. It had taught the British commanders with what sort of spirit and genius they had to deal, and how certain it was that their task must be carried to a finish not only by conquering marches and a mere occupation of the country, but by careful strategy and the long plans of a set campaign. Moreover, they now obviously had a country, and not an insurgent army merely, to conquer,—and a vast country at that. That surprising winter had set men's sinews to what they had undertaken, on the one side as on the other.

HESSIAN BOOT

In December (1776) it had looked as if all firmness had been unnerved and all hope turned to foreboding by the success of the British at New York and in the Jerseys. Joseph Galloway, of Pennsylvania, when

that crisis came, took advantage of the opportunity to remove within the British lines and cast in his lot there with those who were ready to stake everything upon their loyalty and the success of the British arms. Others followed his example,—some out of panic, but many, it seemed, not out of fear, but out of principle. Only the other day Mr. Galloway had been the chief figure in the Congress of Committees which spoke for the colonies; for many a long day he had been the chief figure in the politics of his own colony; and many of those who made submission when he did were of families of the first dignity and consequence. They, like him, had been champions of colonial rights until it came to the point of rebellion. They would not follow further. Their example was imitated now, moreover, in their act of formal submission, by some who had played the part of patriot more boldly and with less compunction. Mr. Samuel Tucker, even, who until this untoward month had been president of New Jersey's revolutionary committee of safety, made his submission. It seemed hard to find steadfastness anywhere.

But Washington's genius and the license of the British soldiery had turned the tide at last, when it seemed upon the very point of becoming overwhelming. The occupation of the British, brief as it had been, had brought upon New York and the Jerseys experiences like those of a country overrun by a foreign soldiery permitted almost every license of conquest. When the ministers in England found themselves, in 1774, face to face with the revolt in the colonies, they could count but 17,547 men all told in the King's forces; and when it came to sudden recruiting, they could obtain very few enlistments. They dared not risk

EXTRACT of a Letter from an Officer of Diſtinction in the American Army.

SINCE I wrote you this morning, I have had an opportunity of hearing a number of the particulars of the horrid depredations committed by that part of the Britiſh army, which was ſtationed at and near Pennytown, under the command of Lord Cornwallis. Beſides the ſixteen young women who had fled to the woods to avoid their brutality, and were there ſeized and carried off, one man had the cruel mortification to have his wife and only daughter (a child of ten years of age) raviſhed; this he himſelf, almoſt choaked with grief, uttered in lamentations to his friend, who told me of it, and alſo informed me that another girl of thirteen years of age was taken from her father's houſe, carried to a barn about a mile, there raviſhed, and afterwards made uſe of by five more of theſe brutes. Numbers of inſtances of the ſame kind of behaviour I am aſſured of have happened: here their brutiſh luſt were their ſtimulas; but wanton miſchief was ſeen in every part of the country; every thing portable they plunder and carry off, neither age nor ſex, Whig or Tory, is ſpared; an indiſcriminate ruin attends every perſon they meet with, infants, children, old men and women, are left in their ſhirts without a blanket to cover them in this inclement ſeaſon; furniture of every kind deſtroyed or burnt, windows and doors broke to pieces; in ſhort, the houſes left unhabitable, and the people left without proviſions, for every horſe, cow, ox, hog and poultry, carried off: a blind old gentleman near Pennytown plundered of every thing, and on his door wrote, 'Capt. Wills of the Royal Iriſh did this.' As a notable proof of their regard and favour to their friends and well-wiſhers, they yeſterday burnt the elegant houſe of Daniel Cox, Eſq; at Trenton-Ferry, who has been their conſtant advocate, and ſupporter of Toryiſm in that part of the country: this behaviour of theirs has ſo exaſperated the people of the country, that they are flying to arms, and forming themſelves into parties to way-lay them and cut them off wherever they can meet with them: this, and other efforts which are making, I hope will ſo ſtreighten them that they will ſoon find their ſituation very diſagreeable in New-Jerſey. Another inſtance of their brutality happened near Woodbridge: One of the moſt reſpectable gentlemen in that part of the country was alarmed by the cries and ſhrieks of a moſt lovely daughter; he found an officer, a Britiſh officer, in the act of raviſhing her, he inſtantly put him to death; two other officers ruſhed in with fuſees, and fired two balls into the father, who is now languiſhing under his wounds. I am tired of this horrid ſcene; Almighty Juſtice cannot ſuffer it to go unpuniſhed: he will inſpirit his people (who only claim that liberty which he has entitled them to) to do themſelves juſtice, to riſe univerſally in arms, and drive theſe invading tyrants out of our country.

Publiſhed by order of the Council of Safety,

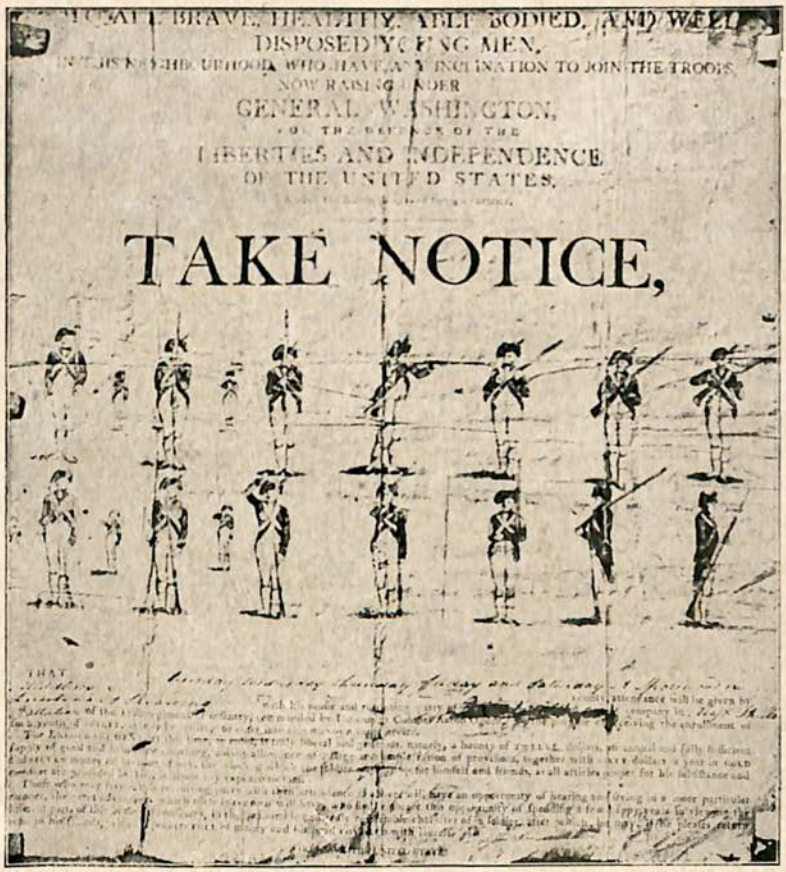
GEO. BICKHAM, Secretary, pro. tem.

Publiſhed alſo in Dunlap's Pennſylvania Packet December 27. 1776.

Printed by JOHN DUNLAP.

conscription,—English opinion had never tolerated that, except to meet invasion. They sent to America, therefore, to reinforce General Howe, not only English soldiers as many as they could muster, but a great force of German troops as well, hired by the regiment, their trained officers included, from the Landgrave of Hesse-Cassel and other German princes, neighbors to the German dominions of the House of Hannover. It was close upon a thousand of these "Hessians" (for the colonists knew them all by that single name) that Washington had taken at Trenton, but not until they and their comrades had had time to make every country-side from New York to the Delaware dread and hate them. The British commanders had suffered their men, whether English or foreign, to plunder houses, insult and outrage women, destroy fields of grain, and help themselves to what the towns contained almost as they pleased; and had hardened the faces of ten of the angry colonists against them for every one who made submission and sought to put himself on their side, accordingly. Their marauding parties made little distinction between friend and foe, so they but got what they wanted. Washington could thank them for doing more to check defections from the patriotic party than he could possibly do for himself by carrying out the orders of the Congress to disarm all loyalists and bring recusants to a sharp reckoning.

And so the year 1777 dawned like a first year of settled war and revolution. For a little while, at the outset of the year, the Congress made Washington practical dictator in every affair that concerned the prosecution of the war. It authorized long enlistments, moreover, instead of the makeshift enrolments for three months



RECRUITING POSTER

Editor's Note.—The blurred inscription at the bottom of the poster reads as follows:

That tuesday, wednesday, thursday, friday, and saturday, at Spotswood, in Middlesex county, attendance will be given by Lieutenant Reading, with his music and recruiting party of ——— company in Major Shute's Battalion of the 11th regiment of infantry, commanded by Lieutenant Colonel Aaron Ogden, for the purpose of receiving the enrollment of such youth of spirit as may be willing to enter into this honourable service.

The Encouragement, at this time, to enlist is truly liberal and generous, namely, a bounty of twelve dollars, an annual and fully sufficient supply of good and handsome cloathing, a daily allowance of a large and ample ration of provisions, together with sixty dollars a year in gold and silver money on account of pay, the whole of which the soldier may lay up for himself and friends, as all articles proper for his subsistence and comfort are provided by law, without any expence to him.

Those who may favour this recruiting party with their attendance as above will have an opportunity of hearing and seeing in a more particular manner the great advantages which these brave men will have who shall embrace this opportunity of spending a few happy years in viewing the different parts of this beautiful continent, in the honourable and truly respectable character of a soldier, after which he may, if he pleases, return home to his friends, with his pockets full of money and his head covered with laurels.

GOD SAVE THE UNITED STATES.

which had hitherto kept Washington's army always a-making and to be made, dissolving and reforming month by month. The Congress had, it is true, neither the energy nor the authority it needed. It could get little money to pay the troops; its agents seriously mismanaged the indispensable business of supplying the army with stores and clothing; and the men deserted by the score in disgust. Washington declared, in the summer of 1777, that he was losing more men by desertion than he was gaining by enlistment, do what he would. But these were difficulties of administration. In spite of all dangers and discouragements, it was evident that the continent was settling to its task. And the end of the year showed the struggle hopefully set forward another stage.

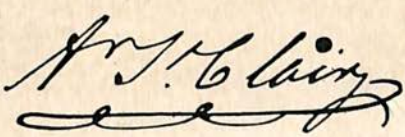
The military operations of that memorable year were a striking illustration of the magnitude of the task the British generals were set to accomplish, and of their singular lack of the energy, decision, and despatch necessary to accomplish it. They seemed like men who dallied and dreamed and did not mean to succeed. They planned like men of action, but then tarried and bungled at the execution of their plans. It was their purpose that year (1777) to strike from three several directions along the valley of the Hudson, and break once for all the connection between the New England colonies and their confederates. General Burgoyne was to move, with eight thousand men, down Lake Champlain; Colonel St. Leger, with a small but sufficient force, along a converging line down the valley of the Mohawk, from Oswego on Ontario; and General Howe was to meet them from the south, moving in strength up the Hudson. More than thirty-three

JOHN BURGOYNE

thousand men would have effectually swept the whole of that great central valley, north and south, when their plan was executed. But it was not executed. The British commanders were to learn that, for their armies, the interior of the country was impracticable.

Both St. Leger and Burgoyne were baffled in that vast wilderness. It was simple enough for Burgoyne to descend the lakes and take once again the forts which guarded them. Even Ticonderoga he took without a blow struck. A precipitous height, which the Americans had supposed inaccessible by any sort of carriage, rose above the strong fortifications of the place beyond a narrow strip of water; the English dragged cannon to its summit; and General St. Clair promptly withdrew in the night, knowing his position to be no longer tenable. But it was another matter to penetrate the forests which lay about Lake George and the upper waters of the Hudson with militiamen out of every country-side within reach swarming thicker and thicker at every step the redcoats took into the depths of the perplexing region. A thousand men Burgoyne felt obliged to leave at Ticonderoga for the sake of his communications; close upon a thousand more he lost (August 16th) at Bennington, whither he had sent them to seize stores; and by the time he had reached the neighborhood of Saratoga with the six thousand left him, fully fourteen thousand provincials beset him. He had been told that the people of the country through which he was to pass would gladly give him aid and succor; that those quiet forests of Vermont and New York would even yield him, it might be, a regiment or two of loyalists wherewith to recruit his ranks when once his presence there should give the secluded settlers

heart of grace to declare themselves openly for the King. Instead of that, he presently had a formidable force of provincial yeomanry out of Vermont dogging

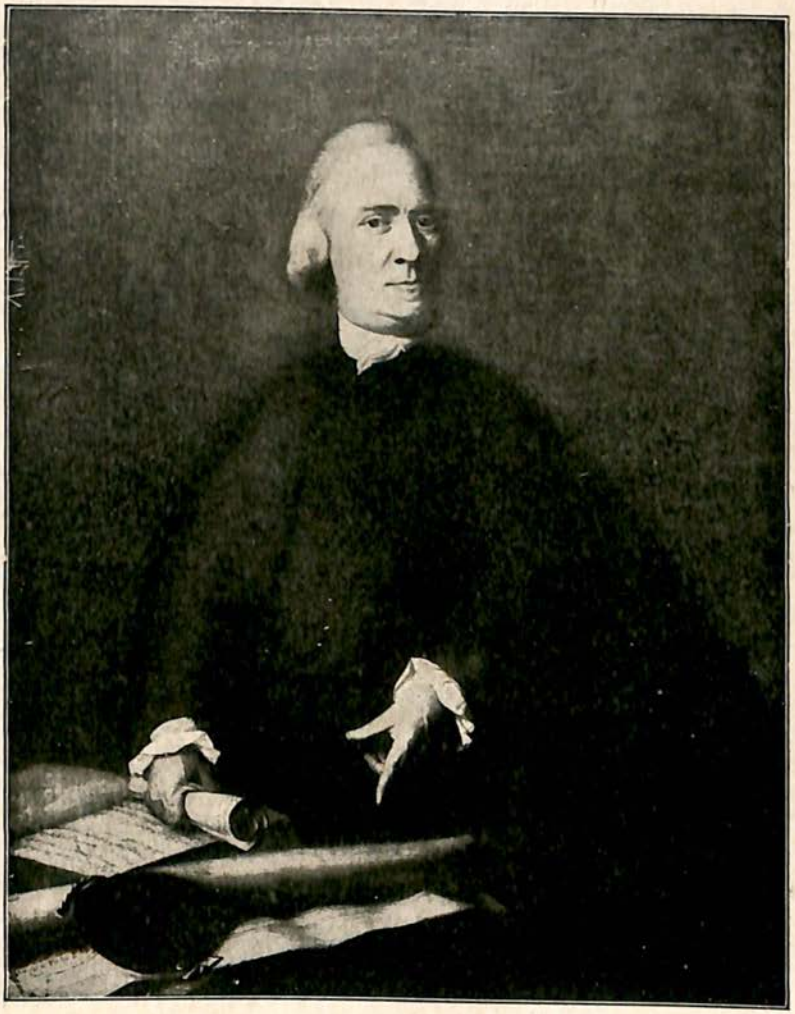


ARTHUR ST. CLAIR

his steps under General Lincoln; a like levy, hurriedly drawn together out of New Hampshire and Massachusetts, beat and captured his best German troops at Bennington; the country was emptied of its people

and of its cattle, was stripped of its forage even, as he advanced; and every step he took threatened to cut him off alike from his sources of supply and from his lines of retreat. It maddened the watchful men of those scattered homes to see him come with half a thousand savages at his front. It had been bad enough to see any invaders on that defenceless border: but the presence of the redskins put their homes and their lives in immediate and deadly peril, and they mustered as they would have mustered to meet a threat of massacre. Burgoyne himself would have checked his savage allies when the mischief had been done and it was too late; but he only provoked them to desert him and leave him without guides in an almost pathless wilderness, without appeasing the men their presence had brought swarming upon his flanks.

He pushed forward nevertheless, dogged, indomitable, determined to risk everything rather than fail of his rendezvous with Howe and St. Leger at the Hudson. And yet close upon the heels of his defeat and heavy loss at Bennington came news that St. Leger had already failed. Late in July, St. Leger had thrust his way cautiously through the forests from Oswego to the upper waters of the Mohawk; and there, on the 3d of August, he had set himself down to take Fort Stanwix, with its little garrison of six hundred men under Colonel Peter Gansevoort. There, if anywhere in those northern forests by the Mohawk, might men who fought in the name of the King look to be bidden Godspeed and given efficient aid and counsel by the settlers of the country-side through which they moved. There William Johnson (Sir William since the French war) had reigned supreme for a long generation. his



Saml Adams

SAMUEL ADAMS

energy, subtlety, quick resource, and never failing power over men holding the restless Iroquois always

BENJAMIN LINCOLN

to their loyalty to the English, the English always to their duty to the crown. Sir William had been dead these three years; but his son, Sir John, still held his

31404

ancient allies to their fealty and stood at the front of those who would not accept the revolution wrought at Boston and Williamsburg and Philadelphia. This

SIR WILLIAM JOHNSON

war among the English sadly puzzled the red warriors of the forest. War between the king of the French and the king of the English they understood; it was a war of hostile peoples; but this war of the English

against their chiefs? "You are two brothers," they said, "of one blood." The Mohawks deemed it some subtile treachery, as their great chief did, the redoubtable Joseph Brant, himself trained with the English boys in Mr. Wheelock's school at Lebanon and taught to see the white man close at hand; and the Cayugas and Senecas followed them in their allegiance to the mighty sachem who "lived over the great lake," their friend and ally time out of mind. The Onondagas held off, neutral. The Oneidas and Tuscaroras, among whom Mr. Kirkland was missionary, aided the patriots when they could, because he wished it, but would not take the war-path. There were white loyalists, too, as well as red, on that far frontier. Sir John Johnson was their leader. Their regiment of Royal Greens, together with John Butler's Tory rangers, constituted the bulk of St. Leger's motley force of seventeen hundred, red men and white. Scottish highlanders, stubborn English-

SIR JOHN JOHNSON

men hot against the revolution, and restless Irishmen, for the nonce on the side of authority, filled their ranks.

Jos. Brant

JOSEPH BRANT

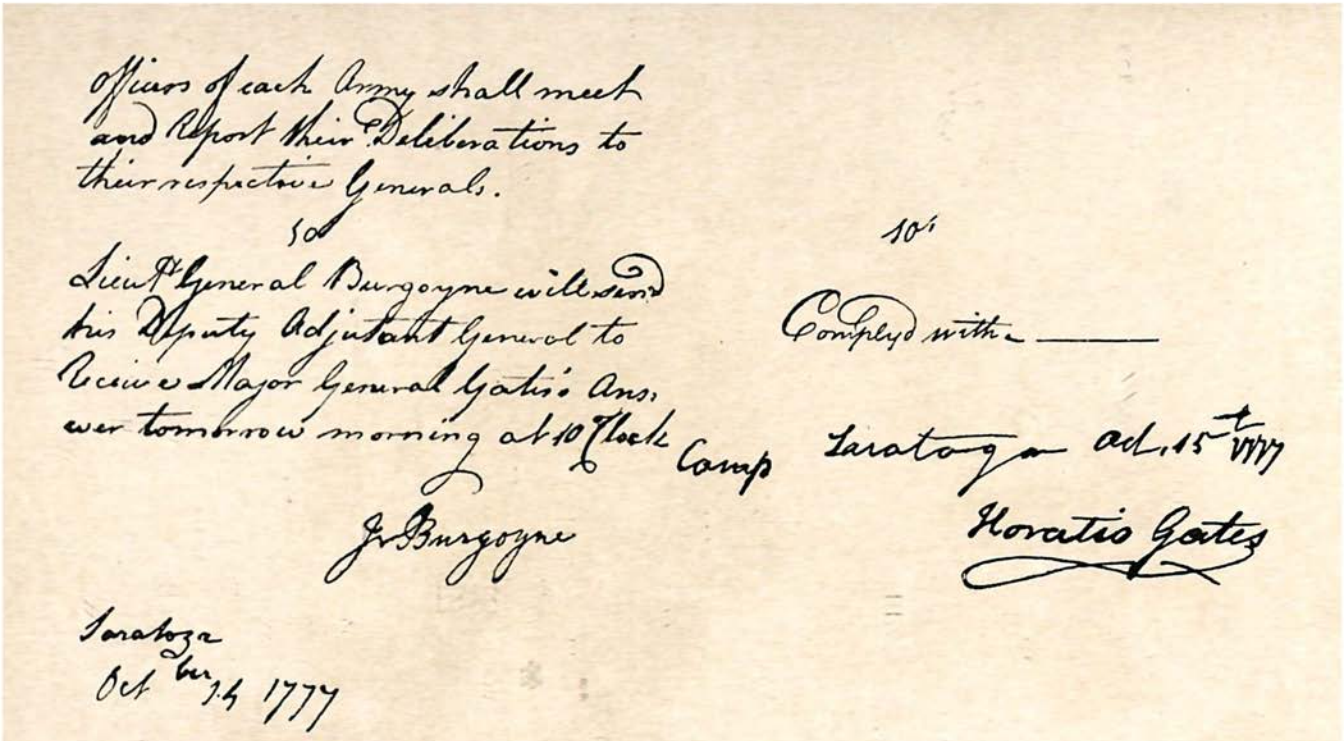
But even there, in Sir William Johnson's one-time kingdom, enemies of King and Parliament mustered stronger yet, and showed quicker concert, freer, more instant union than the Tories. There were Dutch

there, and Germans and Scots-Irish, who recked nothing of the older ties that had bound them when it came to the question whether they should yield in their own affairs to masters over sea. Peter Gansevoort commanded the little garrison at Stanwix; Nicholas Herkimer brought eight hundred men to his succor. Brant and Johnson trapped the stout hearted German in a deadly ambush close by Oriskany as he came; but he beat them off. While that heroic struggle went forward there in the close ravine the hot morning through (August 6, 1777), Gansevoort made sally and sacked Sir John's camp. Herkimer could come no further; but there came, instead, rumors that Burgoyne was foiled and taken and the whole American army on the road to Stanwix. It was only Benedict Arnold, with twelve hundred Massachusetts volunteers; but the rumors they industriously sent ahead of them carried the panic they had planned, and when they came there was no army to meet. St. Leger's men were in full flight to Oswego, the very Indians who had been their allies

PETER GANSEVOORT

harrying them as they went, in mere wanton savagery and disaffection.

Though he knew now that St. Leger could not come, though he knew nothing, and painfully conjectured a thousand things, of Sir William Howe's promised movement below upon the river, Burgoyne pushed forward to the Hudson and crossed it (September 13, 1777), to face the Americans under General Gates upon the western bank. It was as safe to go forward as to turn back. Gates, secure within his intrenchments, would not strike; and he, his supplies instantly threatened behind him, could not wait. On the 19th of September he threw four thousand men forward through the forest to turn, if it were possible, the flank of General Gates's army where it lay so still upon Bemis's Heights by Stillwater. But Arnold was too quick for him. With three thousand men Arnold met and checked him, moving with all the quick audacity and impetuous dash of which he had given Guy Carleton a taste upon Champlain and at the gates of Quebec, Daniel Morgan and his Virginian riflemen again at his back as they had been at far Quebec. His stroke having failed, Burgoyne lay still for eighteen tedious days, waiting once more for Sir Henry Clinton, now at last, he knew, actually upon the river. On the 7th of October he struck again. Clinton came too slowly. Burgoyne's lines of communication by the northern lakes, long threatened by General Lincoln and his Vermonters, were now actually cut off, and it was possible to calculate just how few days' rations remained to make his campaign upon. He tried an attack with picked men, moving quickly; but overwhelming forces met him, and the inevitable Arnold, coming upon the field



Officers of each Army shall meet and Report their Deliberations to their respective Generals.

10

Lieut General Burgoyne will send his Deputy Adjutant General to Receive Major General Gates's Answer tomorrow morning at 10 Clock

Jr Burgoyne

Saratoga
Oct ber 14 1777

10

Complyd with ——

Camp Saratoga Oct. 15th 1777

Horatio Gates

FACSIMILE OF CLOSING PARAGRAPHS OF BURGOYNE'S SURRENDER

when he was already beaten, turned his defeat almost into a rout. He withdrew hopelessly towards Saratoga. Every crossing of the river he found heavily guarded against him. No succor came to him, or could come, it seemed, either from the west or from the south; he could find no safe way out of the wilderness; without aid, the odds were too great against him; and on the 17th of October he capitulated.[1]

General Howe had moved south instead of north. He fancied that it would bring him no small moral advantage to take Philadelphia, the "capital" of the insurgent confederacy; and he calculated that it ought to be easily possible to do so before Burgoyne would need him in the north. Early in June, accordingly, he attempted to cross the Jerseys; but Washington, striking from Morristown, threatened his flank in a way which made him hesitate and draw back. He returned to New York, and put eighteen thousand men aboard his transports, to get at Philadelphia by water from the south. It was the 25th of August, and Burgoyne was needing him sorely in the northern forests, before he had got ready for his land movement. He had gone all the long way round about into Chesapeake Bay, and had made his landing at the Head of Elk, in Maryland. Washington met him behind the fords of the Brandywine (September 11th), but could not withstand him. He could only delay him. Defeat no longer meant dismay for the Americans; Washington acted in force as steadily and effectively after defeat as after victory. It was the 27th of September before Sir William entered Philadelphia. He was hardly settled there before Washington attacked him again, at his outpost at Germantown, in the thick mist of the morning of

[1] See page 304.

SCENE OF THE BATTLE OF THE BRANDYWINE

the 4th of October, and would have taken the place had not the mist confused and misled his own troops. Meantime Burgoyne was trapped at Saratoga. On October 3d Sir Henry Clinton had begun at last the movement from New York for Burgoyne's relief which ought to have been begun in midsummer,—carrying northward a strong fleet upon the river and an army of three thousand men. But it was too late. Burgoyne's surrender was already inevitable. The net result of the campaign was the loss of the northern army and the occupation of Philadelphia. "Philadelphia has taken Howe," laughed Dr. Franklin, in Paris, when they told him that Howe had taken Philadelphia.

The long, slow year had been full of signs both good and bad. International forces were beginning to work in favor of the insurgent colonies. From the outset

France and Spain had been willing to give them aid against England, their traditional rival and enemy. Since the summer of 1776 they had been promised French and Spanish assistance through Beaumarchais, acting ostensibly as the firm of "Roderigue Hortalez et Cie.," but really as the secret agent of the two governments; and early in 1777 the fictitious firm had begun actually to despatch vessels laden with arms and ammunition to America. Private money also went into the venture, but governments were known to be behind it; and on January 5th, 1777, Mr. Franklin had arrived in Paris to assist in bringing France into still closer touch with the war for independence over sea. As the year drew towards its close the great Frederick of Prussia had forbidden troops hired in the other German states to cross Prussian territory to serve the English in America, and so had added his good-will to the French and Spanish money. French, and even German and Polish officers, too, volunteered for service in the American armies. It was the gallant Polish patriot Tadeusz Kosciuszko who had shown General Gates how to intrench himself upon Bemis's Heights.

The winter was deeply disheartening, nevertheless, for Washington. Having failed in the mist at Germantown, he withdrew his army to Valley Forge, whence he could watch Howe at Philadelphia, and move as he moved, and yet himself feel safe against attack; but utter demoralization had fallen upon the Congress, sitting in a sort of exile at York, and his army was brought to such straits of privation and suffering in its exposed camp as he had never been obliged to see it endure before. There was plenty of food in the country; plenty even at the disposal of Congress

BY HIS EXCELLENCY

GEORGE WASHINGTON, ESQUIRE,

GENERAL and COMMANDER in CHIEF of the FORCES of the UNITED STATES OF AMERICA.

BY Virtue of the Power and Direction to Me especially given, I hereby enjoin and require all Persons residing within seventy Miles of my Head Quarters to thresh one Half of their Grain by the 1st Day of February, and the other Half by the 1st Day of March next ensuing, on Pain, in Case of Failure, of having all that shall remain in Sheaves after the Period above mentioned, seized by the Commissaries and Quarter-Masters of the Army, and paid for as Straw.

GIVEN *under my Hand, at Head Quarters, near the Valley Forge, in Philadelphia County, this 20th Day of December*, 1777.

G. WASHINGTON.

By His Excellency's Command,

ROBERT H. HARRISON, Sec'y.

LANCASTER: PRINTED BY JOHN DUNLAP.

and in the stores of its commissariat. The British had overrun very little of the fertile country; the crops had been abundant and laborers had not been lacking to gather them in,—especially there in thriving Pennsylvania. But the Congress had lost all vigor alike in counsel and in action. Men of initiative had withdrawn from it to serve their states in the reorganization of their several governments and in the command of forces in the field. Sometimes scarcely a dozen members could be got together to take part in its deliberations. It yielded to intrigue,—even to intrigue against Washington; allowed its executive committees, and most of all the commissary department, upon which the army depended, to fall into disorganization; listened to censures and bickerings rather than to plans of action; lost the respect of the states, upon which its authority depended; and left the army almost to shift for itself for sustenance. Fortunately it was a mild winter. Fortunately Washington was masterful and indomitable, and proved equal to checkmating at a single move those who intrigued in the Congress to displace him. Despite every bitter experience of that dark and anxious season, he had when spring came an army stronger and fitter for service than it had been when he took it into winter quarters. The lengthened term of service had given him at last an army which might be drilled, and foreign officers,—notably the capable Steuben,—had taught him how to drill it.

General Howe's winter passed easily and merrily enough in Philadelphia. The place was full of people of means and influence who hoped as heartily as Mr. Galloway did for the success of the British arms. Some

of the leading Quakers of the town, whose influence was all for an accommodation of the quarrel with the mother country, had been arrested the previous sum-

Le Baron de Steuben

BARON DE STEUBEN

mer (1777) and sent south by the patriot leaders; but many more were left who were of their mind, and General Howe met something like a welcome when he came in the autumn. The fashionable young women of

the town were delighted to look their best and to use their charms to the utmost at all the balls and social gatherings that marked the gay winter of his stay, and their parents were not displeased to see them shine there. But for the soldiers' coats one would have thought that peace had come again.

But the minds of the ministers in England were not so much at ease. In February, 1778, Lord North introduced and pressed through Parliament conciliatory measures of the most radical sort, practically retracing every misjudged step taken with regard to the colonies since 1763; and commissioners of peace were sent to America with almost plenipotentiary powers of accommodation. But that very month a formal treaty of alliance was signed between France and the United States; by the time the peace commissioners reached Philadelphia, England had a war with France on her hands as well as a war with the colonies; there was no rejoicing in the camp at Valley Forge over the news of Lord North's unexpected turn of purpose, but there was very keen rejoicing when news of the French alliance came.[1] The Congress would not treat with the commissioners. Conciliation had come too late; for the colonies the aspect of the war was too hopeful.

When the commissioners reached Philadelphia they found General Clinton about to abandon it. Sir Henry Clinton had succeeded General Howe in chief command in May. His orders were to evacuate Philadelphia and concentrate his forces once more at New York. The town was as full of excitement and dismay at the prospect as it had been but a little more than a year ago at news of the British approach. When the army began to move, three thousand loyalists

[1] See page 311.

On Monday,

The SIXTEENTH Inſtant, *February 1778.*

At the Theatre in Southwark,

For the Benefit of a PUBLIC CHARITY,

Will be repreſented a Comedy

CALLED THE

Conſtant Couple.

TO WHICH WILL BE ADDED,

DUKE AND NO DUKE.

The CHARACTERS by the OFFICERS of the ARMY and NAVY.

TICKETS to be had at the Printer's: at the Coffee-houſe in Market-ſtreet: and at the Pennſylvania Farmer, near the New-Market, and no where elſe.

BOXES and PIT, ONE DOLLAR.—GALLERY, HALF A DOLLAR.

Doors to open at Five o'Clock, and begin preciſely at Seven.

No Money will, on any Account, be taken at the Door.

Gentlemen are earneſtly requeſted not to attempt to bribe the Door-keepers.

N. B. Places for the Boxes to be taken at the Office of the Theatre in Front-ſtreet, between the Hours of Nine and Two o'clock: After which Time, the Box-keeper will not attend. Ladies or Gentlemen, who would have Places kept for them, are deſired to ſend their Servants to the Theatre at Four o'clock, otherwiſe their Places will be given up.

PHILADELPHIA, PRINTED BY JAMES HUMPHREYS, JUNR.

FACSIMILE OF PLAY BILL

abandoned the town with it, going with the stores by sea, while Sir Henry took his fifteen thousand men overland through the Jerseys again.

When he moved, Washington moved also; outstripped him; caught him at a disadvantage at Monmouth Court House (June 28, 1778); and would inevitably have beaten him most seriously had not Charles Lee again disobeyed him and spoiled the decisive movement of the day,—Charles Lee, the soldier of fortune whom the Americans had honored and trusted. He had disobeyed before, when Washington was retreating hard pressed from New York. This time he seemed to play the coward. It was not known until afterwards that he had played the traitor, too. Clinton got off, but in a sort of rout, leaving his wounded behind him. "Clinton gained no advantage except to reach New York with the wreck of his army," was the watchful Frederick's comment over sea. "America is probably lost for England."

Even the seas were no longer free for the movements of the British fleets, now that France was America's ally and French fleets were gathering under orders for the American coast. Every month the war had lasted the English had found their commerce and their movement of stores and transports more and more embarrassed by the American privateersmen. There were bold and experienced seamen at every port of the long coast. The little vessels which were so easily set up and finished by skilful carpenters and riggers in almost any quiet inlet were sure to be fast and deftly handled when they got to sea; kept clear of his Majesty's fleets and of too closely guarded harbors; cruised whithersoever the wits of their sagacious masters took

them; and had generally to be heavily overmatched to be beaten. They had taken more than five hundred British soldiers from the transports before the Con-

Charles Lee CHARLES LEE

gress at Philadelphia had uttered its Declaration of Independence. Their prizes numbered more than four hundred and fifty the year of Saratoga and Brandy-

wine and the fight in the morning's mist at Germantown, though there were seventy ships of war upon the coast. The very coasts of England herself were not safe against them. Mr. Franklin went to France in the autumn of 1776 with his pocket full of blank letters of marque, and American privateersmen from out the French ports caught prizes enough in English waters to keep the commissioners in Paris well found in money for their plans. In January, 1778, Captain Rathburne, in the *Providence,* actually seized the fort in the harbor of Nassau in New Providence of the Bahamas, and took possession of town and shipping; and in the spring of that same year John Paul Jones performed the same daring feat at Whitehaven by Solway Firth in England itself.

These privateersmen, it turned out, were more to be feared for the present than the fleets of France. The Count d'Estaing was, indeed, despatched to America with twelve ships of the line and six frigates, with four thousand troops aboard; and his fleet appeared off Sandy Hook in midsummer, 1778, while Sir Henry Clinton was still fresh from his fright at Monmouth. But the too cautious admiral came and went, and that was all. He would not attempt an attack upon the English fleet within the bay at New York, though it was of scarcely half his strength. His pilots told him his larger ships could not cross the bar. Newport was the only other harbor the English held; and there he allowed Lord Howe to draw him off. A storm separated the fleets before they could come to terms, and his cruise ended peaceably in Boston harbor. But it was a heavy thing for England to have French fleets to reckon with, and embarrassments thickened very

ominously about her. She had absolutely no hold on America, it seemed, outside the lines actually occupied

IN CONGRESS,

WEDNESDAY, APRIL 3, 1776.

INSTRUCTIONS *to the* COMMANDERS *of Private Ships or Vessels of War, which shall have Commissions or Letters of Marque and Reprisal, authorizing them to make Captures of British Vessels and Cargoes.*

I.

YOU may, by Force of Arms, attack, subdue, and take all Ships and other Vessels belonging to the Inhabitants of Great-Britain, on the High Seas, or between high-water and low-water Marks, except Ships and Vessels bringing Persons who intend to settle and reside in the United Colonies, or bringing Arms, Ammunition or Warlike Stores to the said Colonies, for the Use of such Inhabitants thereof as are Friends to the American Cause, which you shall suffer to pass unmolested, the Commanders thereof permitting a peaceable Search, and giving satisfactory Information of the Contents of the Ladings, and Destinations of the Voyages.

II.

You may, by Force of Arms, attack, subdue, and take all Ships and other Vessels whatsoever carrying Soldiers, Arms, Gun-powder, Ammunition, Provisions, or any other contraband Goods, to any of the British Armies or Ships of War employed against these Colonies.

III.

You shall bring such Ships and Vessels as you shall take, with their Guns, Rigging, Tackle, Apparel, Furniture and Ladings, to some convenient Port or Ports of the United Colonies, that Proceedings may thereupon be had in due Form before the Courts which are or shall be there appointed to hear and determine Causes civil and maritime.

IV.

You or one of your Chief Officers shall bring or send the Master and Pilot and one or more principal Person or Persons of the Company of every Ship or Vessel by you taken, as soon after the Capture as may be, to the Judge or Judges of such Court as aforesaid, to be examined upon Oath, and make Answer to the Interrogatories which may be propounded touching the Interest or Property of the Ship or Vessel and her Lading; and at the same Time you shall deliver or cause to be delivered to the Judge or Judges, all Papers, Sea-Briefs, Charter-Parties, Bills of Lading, Cockets, Letters, and other Documents and Writings found on Board, proving the said Papers by the Affidavit of yourself, or of some other Person present at the Capture, to be produced as they were received, without Fraud, Addition, Subduction, or Embezzlement.

V.

You shall keep and preserve every Ship or Vessel and Cargo by you taken, until they shall by Sentence of a Court properly authorized be adjudged lawful Prize, not selling, spoiling, wasting, or diminishing the same or breaking the Bulk thereof, nor suffering any such Thing to be done.

VI.

If you, or any of your Officers or Crew shall, in cold Blood, kill or maim, or, by Torture or otherwise, cruelly, inhumanly, and contrary to common Usage and the Practice of civilized Nations in War, treat any Person or Persons surprized in the Ship or Vessel you shall take, the Offender shall be severely punished.

VII.

You shall, by all convenient Opportunities, send to Congress written Accounts of the Captures you shall make, with the Number and Names of the Captives, Copies of your Journal from Time to Time, and Intelligence of what may occur or be discovered concerning the Designs of the Enemy, and the Destinations, Motions, and Operations of their Fleets and Armies.

VIII.

One Third, at the least, of your whole Company shall be Land-Men.

IX.

You shall not ransome any Prisoners or Captives, but shall dispose of them in such Manner as the Congress, or if that be not sitting in the Colony whither they shall be brought, as the General Assembly, Convention, or Council or Committee of Safety of such Colony shall direct.

X.

You shall observe all such further Instructions as Congress shall hereafter give in the Premises, when you shall have Notice thereof.

XI.

If you shall do any Thing contrary to these Instructions, or to others hereafter to be given, or willingly suffer such Thing to be done, you shall not only forfeit your Commission, and be liable to an Action for Breach of the Condition of your Bond, but be responsible to the Party grieved for Damages sustained by such Mal-versation.

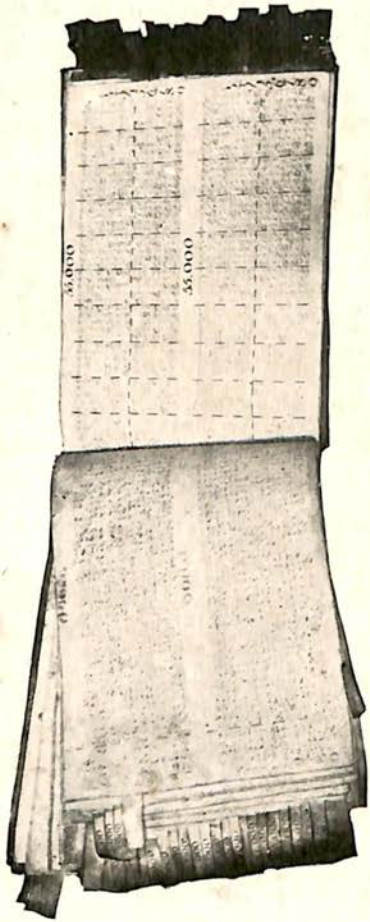
By Order of Congress,

John Hancock PRESIDENT.

REDUCED FACSIMILE OF INSTRUCTIONS FROM CONGRESS TO PRIVATEERS

by her armies at Newport and New York; the very sea was beset, for her merchantmen; and France was now kindled into war against her.

And yet the Americans, too, were beset. They had not only their long coasts to watch and British armies to thwart and checkmate, but their western borders also to keep, against Tory and savage. The Iroquois country, in particular, and all the long valleys of the Mohawk, the Unadilla, and the Susquehanna, were filled with the terrors of raid and massacre throughout that disappointing and anxious summer of 1778. The stubborn loyalists of the forest country, with their temper still of the untamed highlands of old Scotland or of the intractable country-sides of old England, had been driven into exile by the uncompromising patriots, their neighbors, who outnumbered them. But they had not gone far. They had made their headquarters, the more dogged and determined of them, at Niagara, until this score should be settled. Sir John Johnson was still their leader, for all he had been so discomfited before Fort Stanwix; and John Butler and Walter Butler, father and son, men touched with the savagery of the redmen, their allies. Joseph Brant, that masterful



CONTINENTAL LOTTERY BOOK

spirit who was a sort of self-appointed king among the savage Mohawks, did not often willingly forget the precepts of that Christian creed to which good Mr. Wheelock had drawn him in his boyhood, and held the redmen back when he could from every wanton deed of blood; but the Butlers stopped at nothing, and white men and red made common cause against the border settlements. Their cruel strokes were dealt both far and near. Upon a day in July, 1778, never to be forgotten, twelve hundred men fell upon the far-away Wyoming Valley upon the Susquehanna and harried it from end to end until it was black and desolate. In November a like terrible fate fell upon peaceful Cherry Valley, close at hand. There could be no peace or quarter until the hands of these men were stayed.

But, though very slowly, the end came. The men who mustered in the patriotic ranks knew the forest and were masters of its warfare. They had only to turn to it in earnest to prevail. There were men upon the border, too, who needed but a little aid and countenance to work the work of pioneer statesmen on the western rivers. Most conspicuous among these was George Rogers Clark, the young Saxon giant who, in 1777, left his tasks as pioneer and surveyor on the lands which lay upon the south of the great river Ohio in far Kentucky, Virginia's huge western county, and made his way back to the tide-water country to propose to Mr. Henry, now governor of the revolutionized commonwealth, an expedition for the conquest of the "Illinois country" which lay to the north of the river. He was but five-and-twenty, but he had got his stalwart stature where men came quickly into their powers,

Virginia Sc.

In Council Wmsburg Jan 12d 1778

Lieut Colonel George Rogers Clark

You are to proceed with all convenient speed to raise Seven Companies of Soldiers to consist of fifty men each officered in the usual manner Gunned most properly for the Enterprize & with this Force attack the British post at Haskasky

It is conjectured that there are many pieces of Cannon & military Stores to considerable amount at that place, the taking & preservation of which would be a valuable acquisition to the State

If you are so fortunate therefore as to succeed in your Expedition you will take every possible Measure to secure the artillery & Stores & whatever may advantage the State.

. . . . . .

It is in Contemplation to establish a post near the Mouth of Ohio. Cannon will be wanted to fortify it Part of those at Haskasky will be easily brought thither or otherwise secured as circumstances will make necessary &c

You are to apply to General Hand for powder & Lead necessary for this Expedition. If he can't supply it the person who has that which Capt. Lynn brot. from Orleans can, Lead was sent to Hampshire by my orders & that may be delivered you. Wishing you success I am

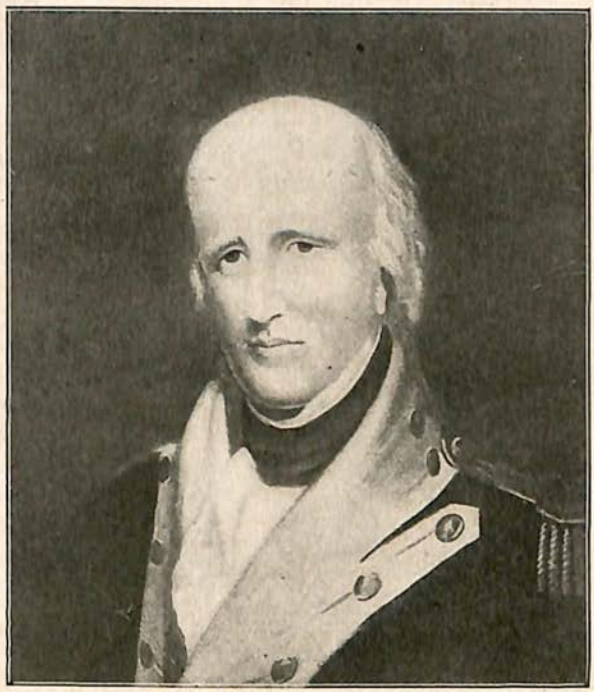
Sir

your Hble Servt

P. Henry

REDUCED FACSIMILE OF THE FIRST AND LAST PARTS OF PATRICK HENRY'S LETTER OF INSTRUCTIONS TO GEORGE ROGERS CLARK

deep in the forests, where he had learned woodcraft and had already shown his mettle among men. Mr. Henry and Mr. Jefferson and Mr. Wythe and Mr.



GEORGE ROGERS CLARK

Madison, whom he consulted, approved his purpose very heartily. It was a thing which must be prepared for very quietly, and pushed, when once begun, with secrecy and quick despatch; but the mustering of men

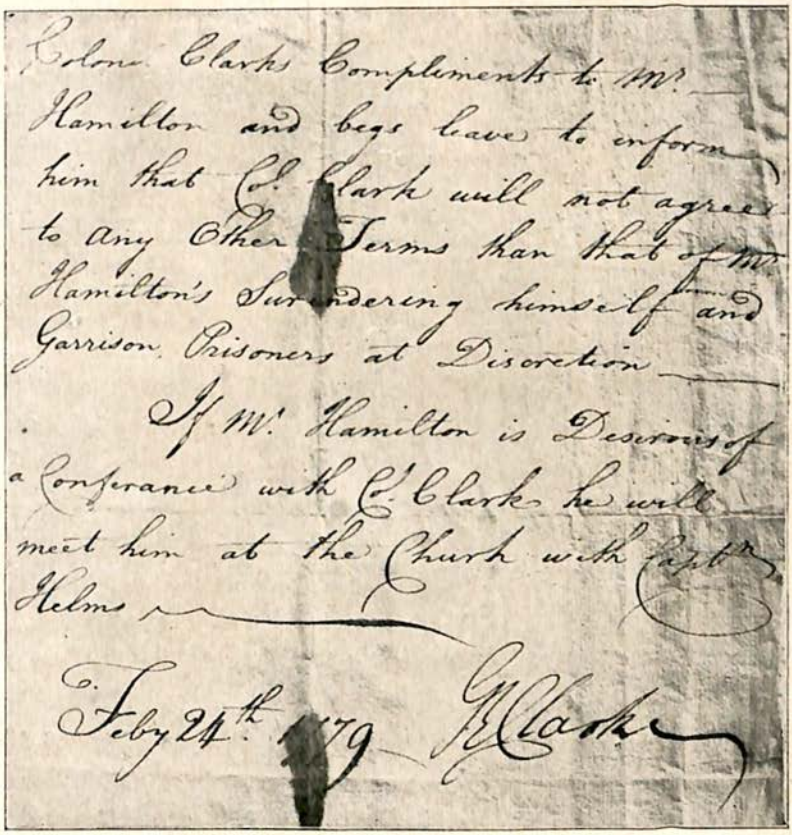
and the gathering of munitions and supplies were incidents which made no stir in those days of familiar war. Clark could bring together what force he pleased at Pittsburgh, and excite only the expectation that a new band of armed men were about to set out for the frontiers of Kentucky. In May, 1778, he was ready. He took but one hundred and eighty picked riflemen, a modest flotilla of small boats, and a few light pieces of artillery, but they sufficed. Before the summer was out he had gained easy mastery of the little settlements which lay to the northward upon the Mississippi and within the nearer valley of the Wabash. He had an infinitely pleasing way of winning the friendship of men upon any border, and the Frenchmen of the settlements of the Illinois country relished the change he promised them, liked well enough the prospect of being quit of the English power. There were few Englishmen to deal with.

When winter came Colonel Hamilton, the British commander at Detroit, came south into the forest with a motley force of five hundred men, mixed of regulars, Tories, and Indians, such as St. Leger had taken against Stanwix, and occupied Vincennes again, upon the Wabash; but Clark struck once more, sending his boats up the river and bringing his picked force straight across the frozen forests from Kaskaskia by the Mississippi; and by the end of February, 1779, Colonel Hamilton and all his levy were his prisoners.[1] The Illinois country was added to Virginia, and the grant of her ancient charter, "up into the land, west and northwest," seemed made good again by the daring of her frontiersmen. He could have taken Detroit itself; Clark declared, with but a few hundred men. While he cleared the

[1] See page 321.

northern rivers of the British arms a force like his own descended the Mississippi, seized Natchez, and cleared the southern reaches of the great stream.

That winter had witnessed a sharp shifting of the


Colonel Clarks Compliments to Mr. Hamilton and begs leave to inform him that Col. Clark will not agree to any other Terms than that of Mr. Hamilton's Surrendering himself and Garrison Prisoners at Discretion

If Mr. Hamilton is Desirous of a Conferance with Col. Clark he will meet him at the Church with Capt. Helms

Feby 24th 79 G. Rogers Clark

GEORGE CLARK'S FINAL SUMMONS TO COLONEL HAMILTON TO SURRENDER

scene of the war in the east. The British commanders there had turned away from General Washington and the too closely guarded reaches of the Hudson to try for better fortune in the far south. In December, 1778, Clinton sent thirty-five hundred men from New

York to the southern coasts by sea, and on the 29th Savannah was taken, with comparative ease, there being but a scant six hundred to defend it. The town once taken, it proved an easy matter. at that great remove from the centre of the American strength, to overrun the country back of it during the early weeks of 1779. But after that came delay again, and inaction, as of those who wait and doubt what next to do. The new year saw nothing else decisive done on either side. In April Spain made common cause with France against England; but Washington waited in vain the year through to see the fighting transferred to America. A few strategic movements about New York, where Clinton lay; a few raids by the British; a few sharp encounters that were not battles, and the year was over. The British made sallies here and there, to pillage and burn, to keep the country in awe and bring off whatever they could lay hands upon, striking sometimes along the coast as far as Connecticut and even the Chesapeake at the south; but armed bands were quick to muster to oppose and harass them wherever they went, and it was never safe for them to linger. Clinton thrust his lines out upon the river and fortified Stony Point; but Anthony Wayne stormed the place of a sudden, with twelve hundred men, and took it, with unshotted guns at the point of the bayonet before dawn on the morning of the 15th of July, and brought more than five hundred prisoners away with him, having come with that quick fury of reckless attack which made men call him Mad Anthony, and having as quickly withdrawn again. Harry Lee stormed Paulus Hook in like fashion, and the British were nowhere very easy within their lines. But, for

the rest, there was little to break the monotony of waiting for news of the war at England's door, where the fleets of the allies threatened her. Privateersmen were

C. J. Fox

CHARLES JAMES FOX

as busy as ever, and as much to be feared, almost, as the French cruisers themselves; but the formal operations of the war seemed vaguely postponed. Without the co-operation of a naval force it was impossible

for Washington to do anything against Sir Henry at New York.

While he waited, therefore, he despatched General Sullivan with five thousand men into the forest country of the Mohawk and the Susquehanna to make an end of the cruel mischief wrought upon defenceless homes by the bitter Tories and their red allies. The little army, sent forward in divisions, swept through the country it was bidden clear like men who searched stream and valley upon a journey of discovery; converged to meet their hunted foes, but fifteen hundred strong, where they lay at bay within a bend of the Chemung,—the full rally of the forest country, British regulars, Tory rangers, Indian braves, Johnson, the Butlers, Joseph Brant, every leader they acknowledged, united to direct them,—and overwhelmed them; ravaged the seats of Seneca and Cayuga far and near, till neither village nor any growing thing that they could find upon which men could subsist was left this side the Genesee; stopped short only of the final thing they had been bidden attempt, the capture of the stronghold at Niagara itself.

That was a summer's reckoning which redmen far and near were not likely to forget. In April a little army of frontiersmen under Colonel Evan Shelby, that stout pioneer out of Maryland who brought hot Welsh blood to the task, swept suddenly along the northward reaches of the Tennessee and harried the country of the Chickamaugas, among whom Tories and British alike had been stirring war. In August, Colonel Brodhead, ordered to co-operate with General Sullivan, had taken six hundred men from his post at Fort Pitt, whence Clark had make his exit into the

Jn°. Sullivan

JOHN SULLIVAN

west, and had destroyed the Indian settlements by the Alleghany and upon French Creek, the old routes of the French from the lakes to the Ohio. Such work was never finished. The Indians were for a little dislodged, disconcerted, and put to sad straits to live;

CASIMIR PULASKI

but they were not conquered. The terror bred a deeper thirst for vengeance among them, and a short respite of peace was sure to be followed when a new year came in with fresh flashes of war on the border, as lurid and ominous as ever. The danger was lessened, nevertheless. The final conquest of the Indian country was at least begun. The backwoodsmen were with-

in sight of ultimate mastery when once peace should bring settlers crowding westward again.

The fighting at sea that memorable year of doubt was of a like import,—full of daring and stubborn courage, planned and carried through with singular initiative and genius, quick with adventure, bright with every individual achievement, but of necessity without permanent consequence. Late in July, 1779,[1] Captain Paul Jones had sailed from a port of France in command of a little squadron, half American, half French, with which the energy of Mr. Franklin had supplied him. His flagship, the *Bon Homme Richard,* was a worn-out French East Indiaman, fitted with forty guns, many of which were unserviceable; his French consorts were light craft, lightly armed; only one ship of the squadron was fully fit for the adventures he promised himself, having come fresh from the stocks in America, and she was intrusted to the command of a French captain who obeyed orders or not, as he pleased. But Jones was a man to work with what he had, and made even that improvised fleet suffice. With it he cruised the whole length of the western coast of Ireland and circled Scotland. Off Flamborough Head he fell in with the *Serapis,* 44, and the *Countess of Scarborough,* 20, the convoy of a fleet of merchantmen, and himself took the larger ship almost unassisted in a desperate fight after sunset, in the first watch of the night of the 23d of September. Neither ship survived the encounter forty-eight hours, so completely had they shot each other to pieces, and no man who followed the sea was likely to forget what he heard of that close grapple in the gathering night in the North Sea. "If I fall in with him again, I will

[1] See page 334.

make a lord of him," Jones exclaimed, when he heard that the King had knighted Captain Pearson, of the *Serapis*, for the gallant fight.

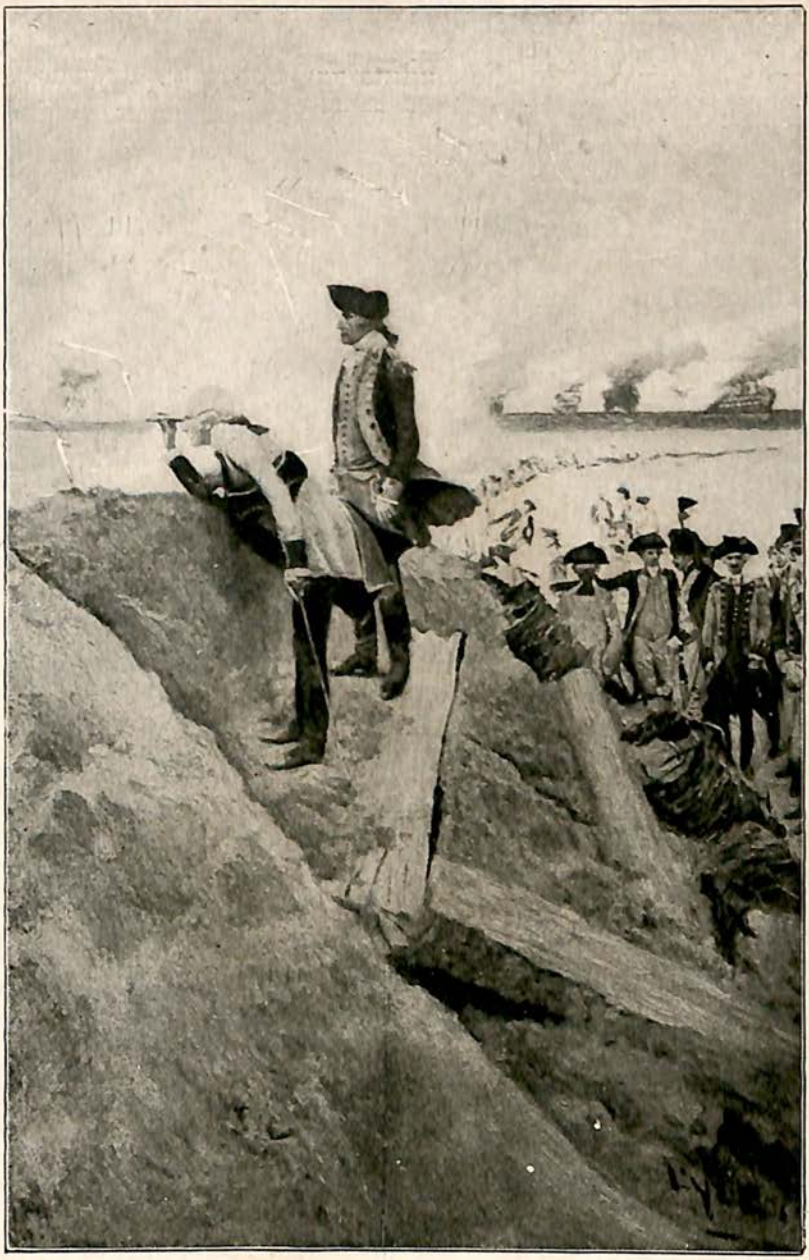
JOHN PAUL JONES

For a little, in the autumn, it looked as if the naval aid for which General Washington waited had come at last. The Count d'Estaing was in the West Indies with a strong fleet, from an encounter with which the English commander in those waters had drawn off to

THE FIGHT BETWEEN BON HOMME RICHARD AND SERAPIS

port again to refit. The count was willing, while his hands were free, to co-operate in an attack upon the southern coast at Savannah. A portion of Washington's army was sent south to join General Lincoln in South Carolina for the attempt. Count d'Estaing put six thousand troops aboard his fleet, and by the 16th of September was within the harbor. But he did not strike quickly or boldly enough, took the slow way of siege to reduce the place, suffered the English commander to make good both the rally of his scattered force and the fortification of his position, and had done nothing when it was high time for him to be back in the Indies to guard the possessions of his own king against the English. A last assault (October 9th) failed and he withdrew.

The next year a like disappointment was added. In midsummer a French fleet arrived upon the northern coast, but it proved impossible to use it. On the 10th of July a French squadron put in at Newport and landed a force of six thousand men under the Comte de Rochambeau; but a powerful British fleet presently blockaded the port, and Rochambeau could not prudently withdraw while the fleet was threatened. He had been ordered to put himself at General Washington's disposal; but he could not do so till the blockade was raised. Meanwhile not only Georgia but the entire South seemed lost and given over to British control. In the spring, Clinton had concentrated all his forces once more at New York; and then, leaving that all-important place strong enough to keep Washington where he was, he had himself taken eight thousand men by sea to Charleston. Two thousand more troops, already in the South, joined him there, and by the



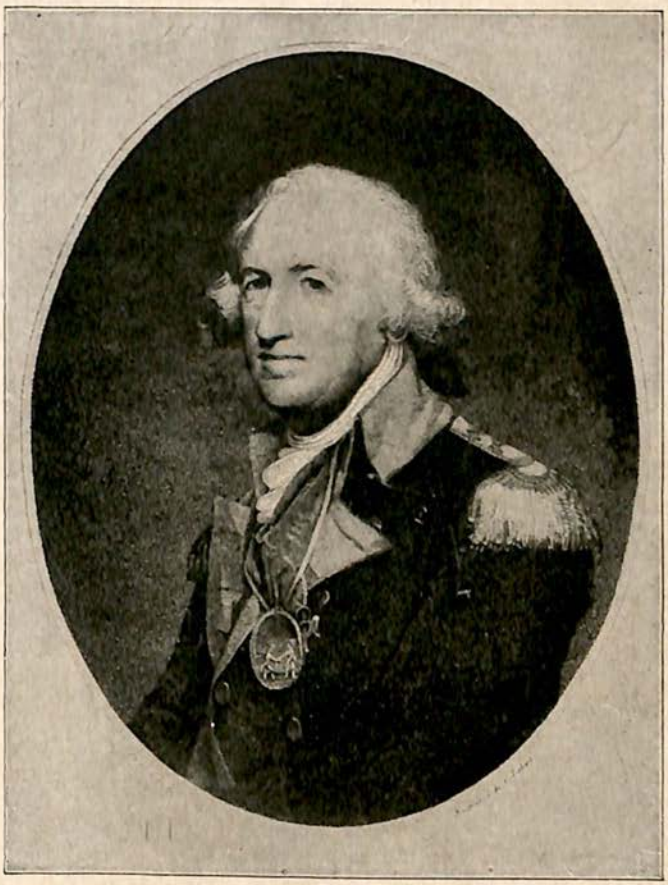
WASHINGTON AND ROCHAMBEAU IN THE TRENCHES AT YORKTOWN

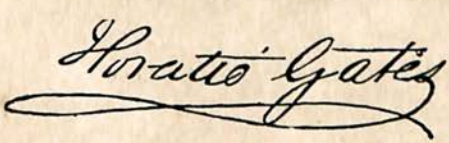
12th of May (1780) he had taken not only the place itself, but General Lincoln and three thousand men besides. South Carolina teemed with loyalists. Partisan bands, some serving one side, some the other, swept and harried the region from end to end. Wherever the British moved in force, they moved as they pleased, and were masters of the country. In June General Clinton deemed it already safe to take half his force back to New York, and Cornwallis was left to complete the work of subjugation.

That same month the Congress conferred the chief command in the South upon General Horatio Gates, who had been in command of the army to which Burgoyne had surrendered at Saratoga,—the army which Schuyler had made ready and which Morgan and Arnold had victoriously handled. Intriguers had sought, while Washington lay at Valley Forge, to substitute Gates for the commander-in-chief; now he was to show how happy a circumstance it was that that selfish intrigue had failed. He met Cornwallis at Camden, in South Carolina, his own force three thousand men, Cornwallis's but two thousand, and was utterly, even shamefully, defeated (August 16, 1780). "We look on America as at our feet," said Horace Walpole, complacently, when the news had made its way over sea.

And certainly it seemed as if that dark year brought nothing but disaster upon the Americans. It was now more evident than ever that they had no government worthy of the name. The Congress had no more authority now than it had had in 1774, when it was admitted to be nothing but a "Congress of the Committees of Correspondence"; and it was not now made up, as it had then been, of the first characters in America,

the men of the greatest force and initiative in the patriotic party. It could advise, but it could not command;

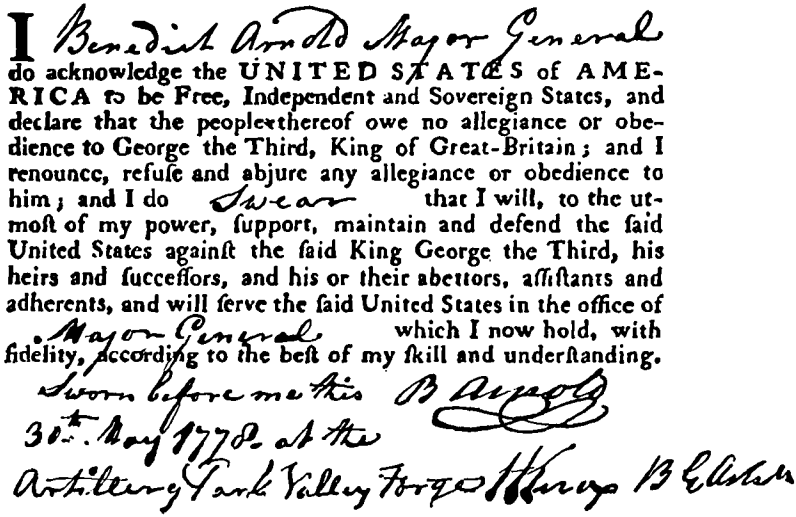




HORATIO GATES

and the states, making their own expenditures, which seemed heavy enough, maintaining their own militia, guarding their own interests in the war, following

their own leaders, often with open selfishness and indifference to the common cause, paid less and less heed to what it asked them to do. It could not raise money by taxation; it could raise very little by loan, having no legal power to make good its promises of repayment. Beaumarchais found to his heavy cost that it was next to impossible to recover the private moneys advanced through "Roderigue Hortalez et Cie." The troops


I Benedict Arnold Major General do acknowledge the UNITED STATES of AMERICA to be Free, Independent and Sovereign States, and declare that the peoplex thereof owe no allegiance or obedience to George the Third, King of Great-Britain; and I renounce, refuſe and abjure any allegiance or obedience to him; and I do Swear that I will, to the utmoſt of my power, ſupport, maintain and defend the ſaid United States againſt the ſaid King George the Third, his heirs and ſucceſſors, and his or their abettors, aſſiſtants and adherents, and will ſerve the ſaid United States in the office of Major General which I now hold, with fidelity, according to the beſt of my ſkill and underſtanding.
Sworn before me this 30th. May 1778 at the Artillery Park Valley Forge

BENEDICT ARNOLD'S OATH OF ALLEGIANCE

upon whom Washington and his generals depended were paid in "continental" paper money, which, by 1780, had grown so worthless that a bushel of wheat could scarcely be had for a month's pay. Wholesale desertion began. Enlisted men by the score quit the demoralized camps. It was reckoned that as many as a full hundred a month went over to the enemy, if only to get food and shelter and clothing. Those who remained in the depleted ranks took what they

needed from the farms about them, and grew sullen and mutinous. Promises of money and supplies

B. Arnold BENEDICT ARNOLD

proved as fruitless as promises of reinforcements from France.

Even deliberate treason was added. Benedict Arnold,

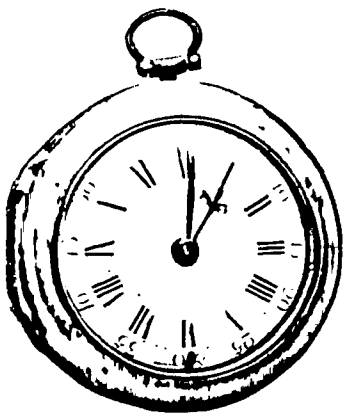
whom every soldier in the continental ranks deemed a hero because of the gallant things he had done at Quebec and Saratoga, and whom Washington had specially loved and trusted, entered into correspondence

John André JOHN ANDRÉ

with the enemy, and plotted to give West Point and the posts dependent upon it into the hands of the British.[1] Congress had been deeply unjust to him, promoting his juniors and inferiors and passing him over; a thousand slights had cut him; a thousand subtle forces of discouragement and of social temptation had been at

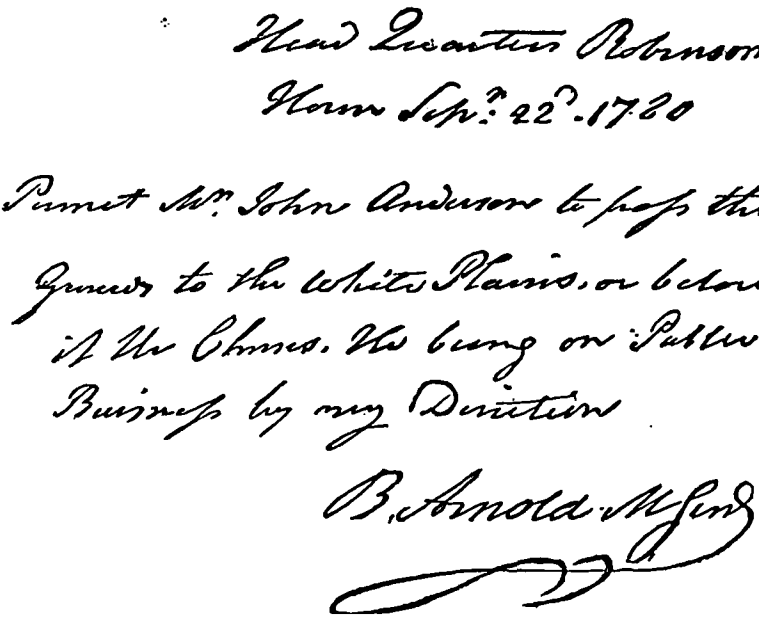
[1] See page 343.

work upon him, and he had yielded,—to pique, to bitter disappointment, to the disorders of a mind unstable, irritable, without nobility. His treason was discovered in time to be foiled, but the heart-breaking fact of it cut Washington to the quick, like a last and wellnigh fatal stroke of bitter dismay. Who could be trusted now? and where was strength to be got wherewith to carry the languishing work to a worthy finish?



MAJOR ANDRÉ'S WATCH

It was the worst of all the bad signs of the times that no government could be agreed upon that would give the young states a real union, or assure them of harmony and co-operation in the exercise of the independence for which they were struggling. Definitive articles of confederation had been suggested as of course at the time the Declaration of Independence was adopted; and the next year (November 15, 1777) the Congress had adopted the plan which Mr. Dickinson had drawn up and which its committee had reported July 12, 1776. But the states did not all accept it, and without unanimous adoption it could not go into operation. All except Delaware and Maryland accepted it before the close of 1778, and Delaware added her ratification in 1779; but Maryland still held out,—waiting until the great states, like Virginia, should forego some part of their too great preponderance and advantage in the prospective partnership by transferring their claims



Head Quarters Robinsons
Horse Sep.r 22d. 1780

Permit Mr. John Anderson to pass the
Grounds to the White Plains, or below
if He Chuses. He being on Public
Business by my Direction

B. Arnold M. Genl

BENEDICT ARNOLD'S PASS TO MAJOR ANDRÉ

to the great northwestern territories to the proposed government of the confederation; and her statesmanlike scruples still kept the country without a government throughout that all but hopeless year 1780.

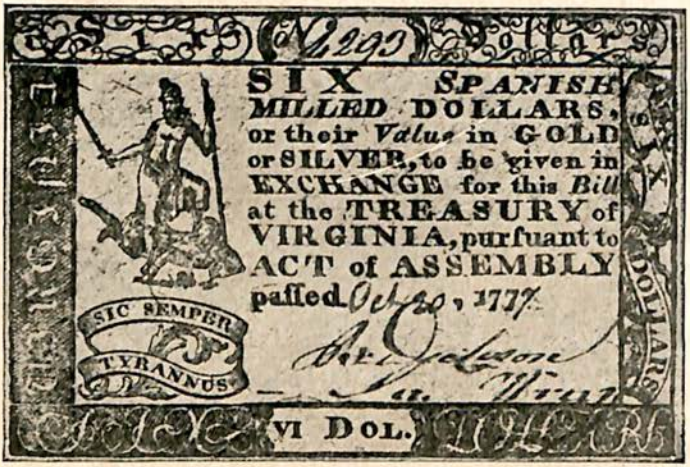
But the autumn showed a sudden turning of the tide. Cornwallis had ventured too far from his base of operations on the southern coast. He had gone deep into the country of the Carolinas, north of him, and was being beset almost as Burgoyne had been when he sought to cross the forests which lay about the upper waters of the Hudson. Gates had been promptly superseded after his disgraceful discomfiture and rout at Camden, and the most capable officers the long war had bred were now set to accomplish the task of forcing Cornwallis to a checkmate: Nathanael Greene, whose

quality Washington had seen abundantly tested at Trenton and Princeton, at the Brandywine, at Germantown, and at Monmouth; the dashing Henry Lee, whom nature and the hard school of war had made a master of cavalry; the veteran and systematic Steuben; Morgan, who had won with Arnold in the fighting about Saratoga, and had kept his name unstained; and William Washington, a distant kinsman of the commander-in-chief, whom English soldiers were to remember with Lee as a master of light horsemen. The wide forests were full, too, of partisan bands, under leaders whom the British had found good reason to dread.

The conquest of the back country of the Carolinas was always doing and to be done. The scattered settlements and lonely plantations were, indeed, full of men who cared little for the quarrel with the mother country and held to their old allegiance as of course, giving

MAJOR ANDRÉ'S POCKET-BOOK

to the King's troops ready aid and welcome; and there were men there, as everywhere, who loved pillage and all lawless adventure, upon whom the stronger army could always count to go in its ranks upon an errand of subjugation; but there were also men who took their spirit and their principles from the new days that had come since the passage of the Stamp Act, and, though they were driven from their homes and left to shift for them-



VIRGINIA COLONIAL CURRENCY

selves for mere subsistence when the King's forces were afield, they came back again when the King's men were gone, and played the part, albeit without Indian allies, that the ousted Tories played in the forest country of New York. The English commanders at Savannah and Charleston had hit at last, nevertheless, upon effective means of holding, not their seaports merely, but the country itself. The forces they sent into the interior were made up, for the most part, of men recruited in America, and were under the command of officers

fitted by school and temperament for their irregular duty of keeping a whole country-side in fearful discipline of submission. Many a formidable band of "Whigs"

Cornwallis LORD CORNWALLIS

took the field against them, but were without a base of supplies, moved among men who spied upon them, and were no match in the long run for Tarleton and Ferguson,—Tarleton with his reckless, sudden onset and savage thoroughness of conquest, and Ferguson

with his subtile gifts at once of mastery and of quiet judgment that made him capable of succeeding either as a soldier who compelled or as a gentleman who won

WILLIAM WASHINGTON

men to go his way and do his will. South Carolina seemed once and again to lie almost quiet under these men.

But Ferguson, for all he had the gifts of a soldier

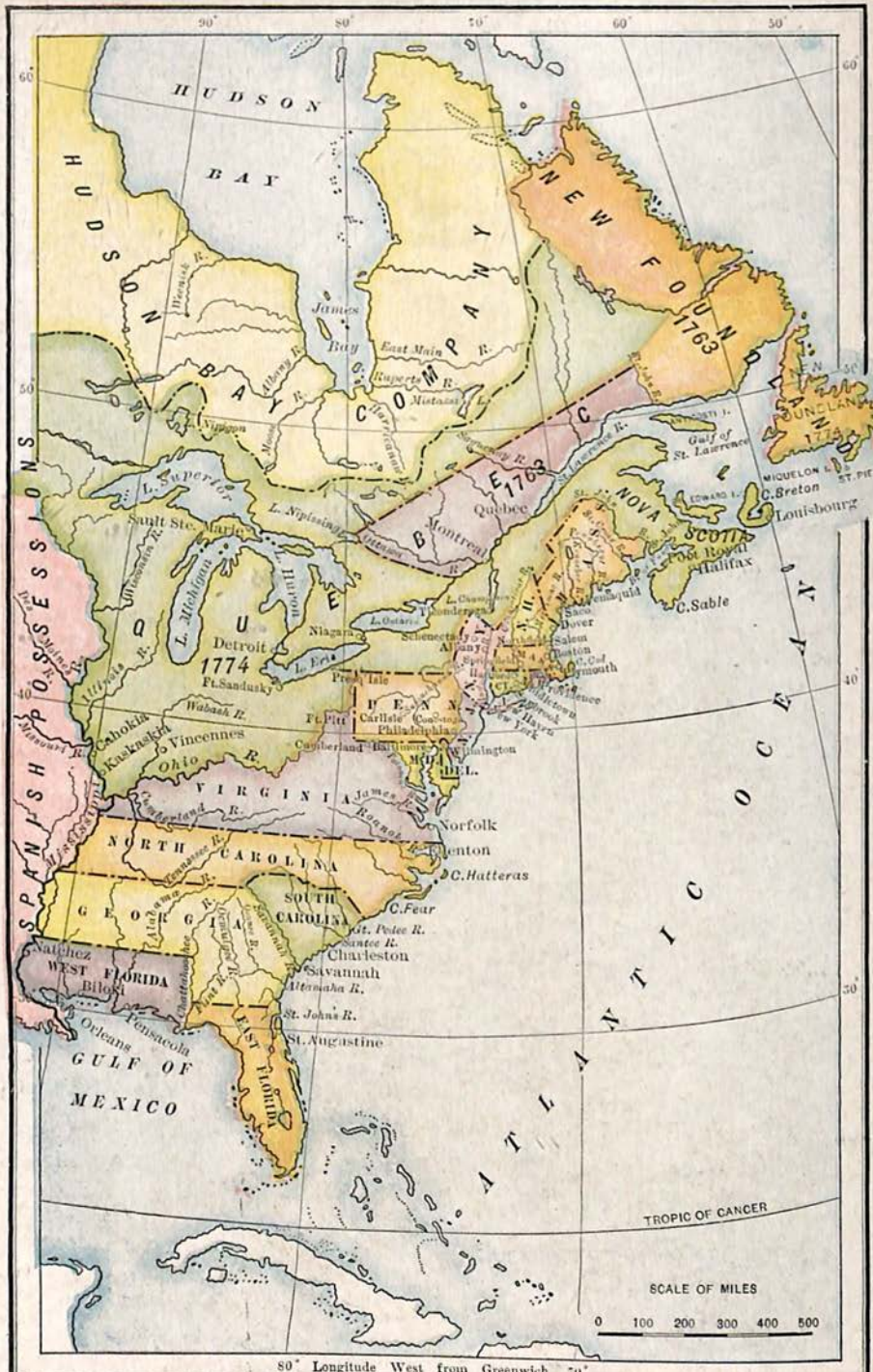
Banastre Tarleton

BANASTRE TARLETON

statesman, had gone too far. He had carried his persuasion of arms to the very foothills of the western mountains, and had sent his threats forward into the western country that lay beyond the passes of the mountains, where hardy frontiersmen of whom he knew almost nothing had so far kept their homes against the red

FRANCIS MARION

men without thought of turning to the east. His threats had angered and aroused them. They had put their riflemen from the back country of Carolina and Virginia into the saddle hundreds strong, had pushed league upon league through the passes of the mountains, from the far-off waters of the Holston, and had surrounded and utterly overwhelmed him at King's



ENGLISH COLONIES, 1763-1775.

BORMAY & CO., N.Y.

Mountain (October 7, 1780). There he lost a thousand men and his own life. "A numerous army appeared on the frontier," reported Lord Rawdon, "drawn from

Dan'l Morgan

DANIEL MORGAN

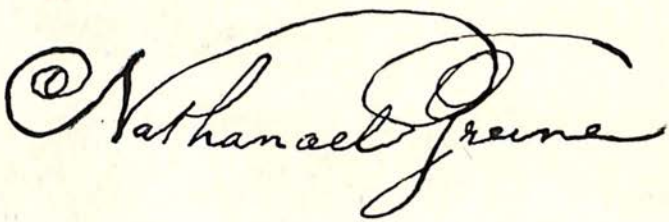
Nolachucky and other settlements beyond the mountains, whose very names had been unknown to us." The hold of the British upon the inland settlements was of a sudden loosened, and Cornwallis had reason to know at once what a difference that made to him.

Early in December came General Greene to take the place of Gates, and new difficulties faced the English

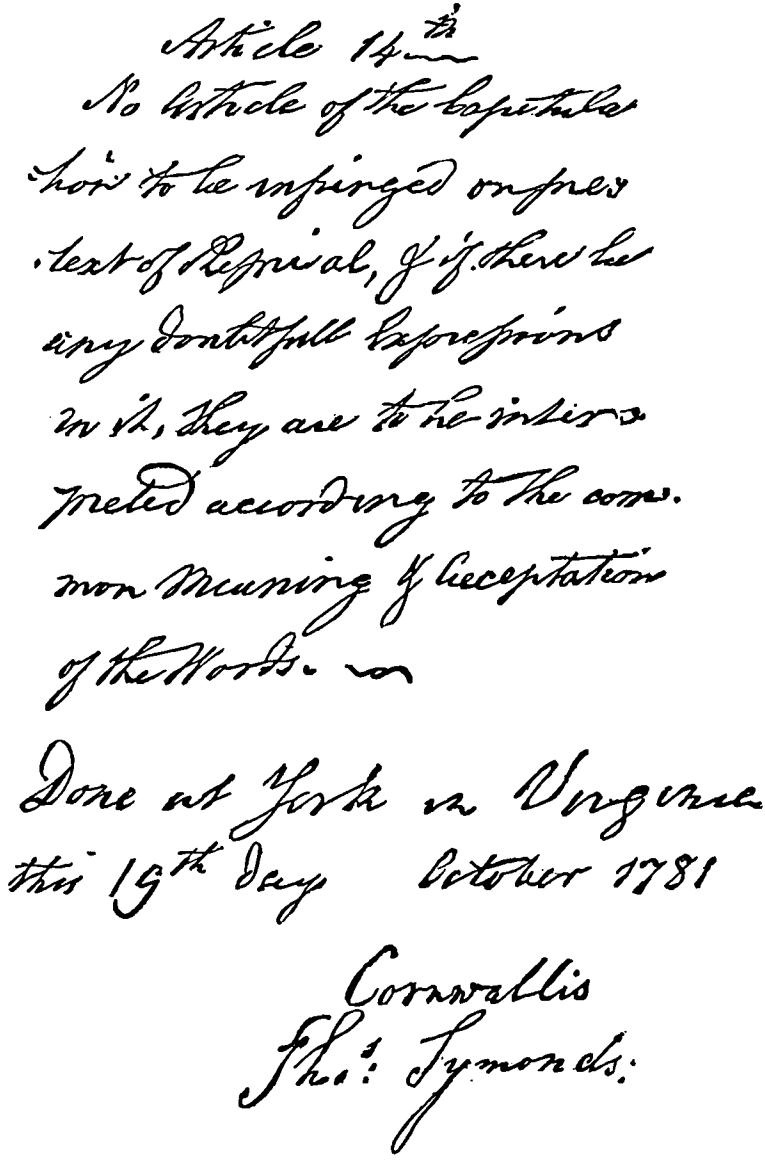
Le Cte de Rochambeau

COUNT ROCHAMBEAU

commander. Greene kept no single force afield, to be met and checkmated, but sent one part of his little army towards the coast to cut Cornwallis's communications, and another southward against the inland posts



NATHANAEL GREENE

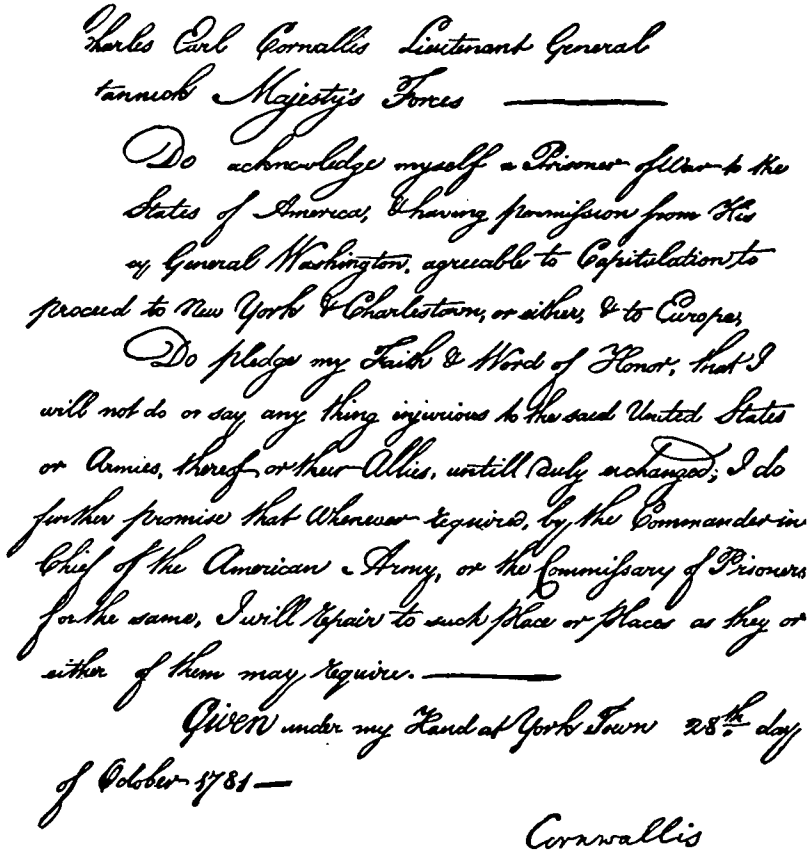

Article 14th
No Article of the Capitulation
shou'd be infringed on pre-
text of Reprisal, if it should be
any doubtfull Expressions
in it, they are to be inter-
preted according to the com-
mon Meaning & Acceptation
of the Words. —

Done at York in Virginia
this 19th Day October 1781

Cornwallis
Tho.s Symonds.

FACSIMILE OF THE LAST ARTICLE OF CAPITULATION AT YORKTOWN

and settlements where scattered garrisons lay between the commander-in-chief and his base at Charleston in the south. With the first detachment went Francis Marion, a man as formidable in strategy and sudden



Charles Earl Cornallis Lieutenant General
Hannock Majesty's Forces ———

Do acknowledge myself a Prisoner of War to the States of America, & having permission from His Ex General Washington, agreeable to Capitulation to proceed to New York & Charlestown, or either, & to Europe,

Do pledge my Faith & Word of Honor, that I will not do or say any thing injurious to the said United States or Armies, thereof, or their Allies, untill duly exchanged; I do further promise that Whenever required, by the Commander in Chief of the American Army, or the Commissary of Prisoners for the same, I will repair to such Place or Places as they or either of them may require. ———

Given under my Hand at York Town 28th day of October 1781 —

Cornwallis

PAROLE OF CORNWALLIS

action as Ferguson, and the men who had attached themselves to him as if to a modern Robin Hood. With the second went Daniel Morgan, a man made after the fashion of the redoubtable frontiersmen who had brought Ferguson his day of doom at King's Mountain. Tarle-

ton was sent after Morgan with eleven hundred men, found him at the Cowpens (January 17, 1781), just

Illumination.

COLONEL TILGHMAN, Aid de Camp to his Excellency General WASHINGTON, having brought official acounts of the SURRENDER of Lord Cornwallis, and the Garriſons of York and Glouceſter, thoſe Citizens who chuſe to ILLUMINATE on the GLORIOUS OCCASION, will do it this evening at Six, and extinguiſh their lights at Nine o'clock.

Decorum and harmony are earneſtly recommended to every Citizen, and a general diſcountenance to the leaſt appearance of riot.

October 24, 1781.

ORDER PERMITTING THE ILLUMINATION OF PHILADELPHIA

within the border upon which King's Mountain lay, and came back a fugitive, with only two hundred and seventy men. Greene drew his forces together again.

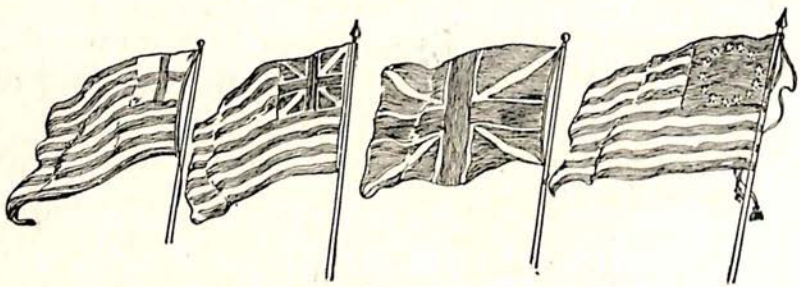
and at Guilford Court House Cornwallis beat him, outnumbered though he was (March 15th). But to beat Greene, it seemed, was of no more avail than to beat General Washington. The country was no safer, the communications of the army were as seriously threatened, the defeated army was as steady and as well in hand after the battle as before; and the English withdrew to Wilmington, on the coast.

It seemed a hazardous thing to take an army thence southward again, with supplies, through the forests where Greene moved; news came that General Arnold was in Virginia with a considerable body of Clinton's troops from New York, to anticipate what the southern commander had planned to do for the conquest of the Old Dominion when the Carolinas should have been "pacified" from end to end; and Cornwallis determined to move northward instead of southward, and join Arnold in Virginia. Greene moved a little way in his track, and then turned southward again against the garrisons of the inland posts. Lord Rawdon beat him at Hobkirk's Hill (April 25th) and held him off at Eutaw Springs (September 8th); but both times the English withdrew to save their communications; and, though the work was slow in the doing, before winter came again they were shut within the fortifications

NELSON HOUSE, CORNWALLIS'S HEAD QUARTERS, YORKTOWN

of Charleston and the country-sides were once more in American possession, to be purged of loyalist bands at leisure.

In Virginia, Lord Cornwallis moved for a little while freely and safely enough; but only for a little while. Baron Steuben had been busy, winter and spring, raising recruits there for an army of defence; General Washington hurried the Marquis de Lafayette southward with twelve hundred light infantry from his own command; and by midsummer, 1781, Lafayette



EVOLUTION OF THE AMERICAN FLAG

was at the British front with a force strong enough to make it prudent that Cornwallis should concentrate his strength and once more make sure of his base of supplies at the coast. His watchful opponents outmanœuvred him, caught his forces once and again in detail, and made his outposts unsafe. By the first week in August he had withdrawn to the sea and had taken post behind intrenchments at Yorktown, something more than seven thousand strong.

There, upon the peninsula which he deemed his safest coign of vantage, he was trapped and taken. At last the French were at hand. The Comte de Grasse, with twenty-eight ships of the line, six frigates, and

twenty thousand men, was in the West Indies. Washington had begged him to come at once either to New York or to the Chesapeake. In August he sent word that he would come to the Chesapeake. Thereupon Washington once again moved with the sudden directness he had shown at Trenton and Princeton. Rochambeau was free now to lend him aid. With four thousand Frenchmen and two thousand of his own continentals, Washington marched all the long four hundred miles straightway to the York River, in Virginia. There he found Cornwallis, as he had hoped and expected, already penned between Grasse's fleet in the bay and Lafayette's trenches across the peninsula. His six thousand men, added to Lafayette's five thousand and the three thousand put ashore from the fleet, made short work enough of the siege, drawn closer and closer about the British; and by the 19th of October[1] (1781) they accepted the inevitable and surrendered. The gallant Cornwallis himself could not withhold an expression of his admiration for the quick, consummate execution of the plans which had undone him, and avowed it with manly frankness to Washington. "But, after all," he cried, "your Excellency's achievements in New Jersey were such that nothing could surpass them." He liked the mastery by which he had been outplayed and taken.

Here our general *authorities* are the same as for the period covered by the last chapter. But to these we now add Edward J. Lowell's *The United States of America, 1775–1782*, in the seventh volume of Winsor's *Narrative and Critical History of America*; John Jay's *Peace Negotiations, 1782–1783*, in the same volume of Winsor; G. W. Greene's *Historical View of the American Revolution*; the second volume of W. B. Weeden's *Economic and Social History of New England*; P. O. Hutchinson's *Life and Letters of Thomas*

[1] See page 347.

Hutchinson; Moses Coit Tyler's *Literary History of the American Revolution;* Lorenzo Sabine's *Biographical Sketches of Adherents to the British Crown;* George E. Ellis's *The Loyalists and their Fortunes,* in the seventh volume of Winsor; Edward E. Hale's *Franklin in France;* George Ticknor Curtis's *Constitutional History of the United States;* and William H. Trescot's *Diplomacy of the American Revolution.* Abundant references to authorities on the several campaigns of the revolutionary war may be found in Albert B. Hart and Edward Channing's *Guide to American History,* an invaluable manual.

The *sources* for the period may be found in the contemporary pamphlets, speeches, and letters published at the time and since, among which may be mentioned, as of unusual individuality, Thomas Paine's celebrated pamphlet entitled *Common Sense,* the writings of Joseph Galloway, some of which are reproduced in Stedman and Hutchinson's *Library of American Literature,* and St. John de Crevecœur's *Letters from an American Farmer.* Here again we rely, too, on the *Journals of Congress* and the *Secret Journals of Congress;* the *Debates of Parliament;* Peter Force's *American Archives;* Hezekiah Niles's *Principles and Acts of the Revolution in America; The Annual Register;* Jared Sparks's *Correspondence of the American Revolution* and *Diplomatic Correspondence of the American Revolution;* Francis Wharton's *The Revolutionary Diplomatic Correspondence of the United States;* Thomas Anburey's *Travels through the Interior Parts of America (1776–1781);* the Marquis de Chastellux's *Travels in North America in the Years 1780, 1781, and 1782;* and the *Memoirs* and *Collections* of the Historical Societies of the several original states.

APPENDIX

ARTICLES OF CONFEDERATION

OF THE NEW ENGLAND COLONIES[1]

Betweene the plantations vnder the Gouernment of the Massachusetts, the Plantacons vnder the Gouernment of New Plymouth, the Plantacons vnder the Gouernment of Connectacutt, and the Gouernment of New Haven with the Plantacons in combinacon therewith

WHEREAS wee all came into these parts of America with one and the same end and ayme, namely, to advaunce the kingdome of our Lord Jesus Christ, and to enjoy the liberties of the Gospell in puritie with peace. And whereas in our settleinge (by a wise Providence of God) we are further dispersed vpon the Sea Coasts and Riuers then was at first intended, so that we cannot according to our desire, with convenience communicate in one Gouernment and Jurisdiccon. And whereas we live encompassed with people of seuerall Nations and strang languages which heareafter may proue injurious to vs or our posteritie. And forasmuch as the Natives have formerly committed sondry insolences and outrages vpon seueral Plantacons of the English and have of late combined themselues against vs. And seing by reason of those sad Distraccons in England, which they have heard of, and by which they know

[1] See page 1, vol. ii.

we are hindred from that humble way of seekinge advise or reapeing those comfortable fruits of protection which at other tymes we might well expecte. Wee therefore doe conceiue it our bounden Dutye without delay to enter into a present consotiation amongst our selues for mutual help and strength in all our future concernements: That as in Nation and Religion, so in other Respects we bee and continue one according to the tenor and true meaninge of the ensuing Articles: Wherefore it is fully agreed and concluded by and betweene the parties or Jurisdiccons aboue named, and they joyntly and seuerally doe by these presents agreed and concluded that they all bee, and henceforth bee called by the Name of the United Colonies of New-England.

II. The said United Colonies, for themselues and their posterities, do joyntly and seuerally, hereby enter into a firme and perpetuall league of friendship and amytie, for offence and defence, mutuall advise and succour, vpon all just occations, both for preserueing and propagateing the truth and liberties of the Gospel, and for their owne mutuall safety and wellfare.

III. It is futher agreed That the Plantacons which at present are or hereafter shalbe settled within the limmetts of the Massachusetts, shalbe forever vnder the Massachusetts, and shall have peculiar Jurisdiccon among themselues in all cases as an entire Body, and that Plymouth, Connecktacutt, and New Haven shall eich of them haue like peculier Jurisdiccon and Gouernment within their limmetts and in referrence to the Plantacons which already are settled or shall hereafter be erected or shall settle within their limmetts respectiuely; prouided that no other Jurisdiccon shall hereafter be taken in as a distinct head or member of this Confederacon, nor shall any other Plantacon or Jurisdiccon in present being and not already in combynacon or vnder the Jurisdiccon of any of these Confederats be

received by any of them, nor shall any two of the Confederats joyne in one Jurisdiccon without consent of the rest, which consent to be interpreted as is expressed in the sixth Article ensuinge.

IV. It is by these Confederats agreed that the charge of all just warrs, whether offensiue or defensiue, upon what part or member of this Confederaccon soever they fall, shall both in men and provisions, and all other Disbursements, be borne by all the parts of this Confederacon, in different proporcons according to their different abilitie, in manner following, namely, that the Commissioners for eich Jurisdiccon from tyme to tyme, as there shalbe occation, bring a true account and number of all the males in every Plantacon, or any way belonging to, or under their seuerall Jurisdiccons, of what quality or condicion soeuer they bee, from sixteene yeares old to threescore, being Inhabitants there. And That according to the different numbers which from tyme to tyme shalbe found in eich Jurisdiccon, upon a true and just account, the service of men and all charges of the warr be borne by the Poll: Eich Jurisdiccon, or Plantacon, being left to their owne just course and custome of rating themselues and people according to their different estates, with due respects to their qualites and exemptions among themselues, though the Confederacon take no notice of any such priviledg: And that according to their differrent charge of eich Jurisdiccon and Plantacon, the whole advantage of the warr (if it please God to bless their Endeavours) whether it be in lands, goods or persons, shall be proportionably deuided among the said Confederats.

V. It is further agreed That if any of these Jurisdiccons, or any Plantacons vnder it, or in any combynacon with them be envaded by any enemie whomsoeuer, vpon notice and request of any three majestrats of that Jurisdiccon so invaded, the rest of the Confederates, without

any further meeting or expostulacon, shall forthwith send ayde to the Confederate in danger, but in different proporcons; namely, the Massachusetts an hundred men sufficiently armed and provided for such a service and jorney, and eich of the rest fourty-fiue so armed and provided, or any lesse number, if lesse be required, according to this proporcon. But if such Confederate in danger may be supplyed by their next Confederate, not exceeding the number hereby agreed, they may craue help there, and seeke no further for the present. The charge to be borne as in this Article is exprest: And, at the returne, to be victualled and supplyed with poder and shott for their journey (if there be neede) by that Jurisdiccon which employed or sent for them: But none of the Jurisdiccons to exceed these numbers till by a meeting of the Commissioners for this Confederacon a greater ayd appeare necessary. And this proporcon to continue, till upon knowledge of greater numbers in eich Jurisdiccon which shalbe brought to the next meeting some other proporcon be ordered. But in any such case of sending men for present ayd whether before or after such order or alteracon, it is agreed that at the meeting of the Commissioners for this Confederacon, the cause of such warr or invasion be duly considered: And if it appeare that the fault lay in the parties so invaded, that then that Jurisdiccon or Plantacon make just Satisfaccon, both to the Invaders whom they have injured, and beare all the charges of the warr themselves without requireing any allowance from the rest of the Confederats towards the same. And further, that if any Jurisdiccon see any danger of any Invasion approaching, and there be tyme for a meeting, that in such case three majestrats of that Jurisdiccon may summon a meeting at such convenyent place as themselues shall think meete, to consider and provide against the threatned danger, Provided when they are met they may remoue to what place they please,

Onely whilst any of these foure Confederats have but three majestrats in their Jurisdiccon, their request or summons from any two of them shalbe accounted of equall force with the three mentoned in both the clauses of this Article, till there be an increase of majestrats there.

VI. It is also agreed that for the mannaging and concluding of all affairs proper and concerneing the whole Confederacon, two Commissioners shalbe chosen by and out of eich of these foure Jurisdiccons, namely, two for the Mattachusetts, two for Plymouth, two for Connectacutt and two for New Haven; being all in Church fellowship with us, which shall bring full power from their seuerall generall Courts respectively to heare, examine, weigh and determine all affaires of our warr or peace, leagues, ayds, charges and numbers of men for warr, divission of spoyles and whatsoever is gotten by conquest, receiueing of more Confederats for plantacons into combinacon with any of the Confederates, and all thinges of like nature which are the proper concomitants or consequence of such a confederacon, for amytie, offence and defence, not intermeddleing with the gouernment of any of the Jurisdiccons which by the third Article is preserued entirely to themselves. But if these eight Commissioners, when they meete, shall not all agree, yet it is concluded that any six of the eight agreeing shall have power to settle and determine the business in question: But if six do not agree, that then such proposicons with their reasons, so farr as they have beene debated, be sent and referred to the foure generall Courts, vizt. the Mattachusetts, Plymouth, Connectacutt, and New Haven: And if at all the said Generall Courts the businesse so referred be concluded, then to bee prosecuted by the Confederates and all their members. It is further agreed that these eight Commissioners shall meete once every yeare, besides extraordinary meetings (according to the fift Article) to con-

sider, treate and conclude of all affaires belonging to this Confederacon, which meeting shall ever be the first Thursday in September. And that the next meeting after the date of these presents, which shalbe accounted the second meeting, shalbe at Bostone in the Massachusetts, the third at Hartford, the fourth at New Haven, the fift at Plymouth, the sixt and seaventh at Bostone. And then Hartford, New Haven and Plymouth, and so in course successiuely, if in the meane tyme some middle place be not found out and agreed on which may be commodious for all the jurisdiccons.

VII. It is further agreed that at eich meeting of these eight Commissioners, whether ordinary or extraordinary, they, or six of them agreeing, as before, may choose their President out of themselues, whose office and worke shalbe to take care and direct for order and a comely carrying on of all proceedings in the present meeting. But he shalbe invested with no such power or respect as by which he shall hinder the propounding or progresse of any businesse, or any way cast the Scales, otherwise then in the precedent Article is agreed.

VIII. It is also agreed that the Commissioners for this Confederacon hereafter at their meetings, whether ordinary or extraordinary, as they may have commission or opertunitie, do endeavoure to frame and establish agreements and orders in generall cases of a civill nature wherein all the plantacons are interested for preserving peace among themselves, and preventing as much as may bee all occations of warr or difference with others, as about the free and speedy passage of Justice in every Jurisdiccon, to all the Confederats equally as their owne, receiving those that remoue from one plantacon to another without due certefycats; how all the Jurisdiccons may carry it towards the Indians, that they neither grow insolent nor be injured without due satisfaccion, lest warr break in vpon the Confederates through such miscarryage. It is also agreed that

if any servant runn away from his master into any other of these confederated Jurisdiccons, That in such Case, vpon the Certyficate of one Majistrate in the Jurisdiccon out of which the said servant fled, or upon other due proofe, the said servant shalbe deliuered either to his Master or any other that pursues and brings such Certificate or proofe. And that vpon the escape of any prisoner whatsoever or fugitiue for any criminal cause, whether breaking prison or getting from the officer or otherwise escaping, upon the certificate of two Majistrats of the Jurisdiccon out of which the escape is made that he was a prisoner or such an offender at the tyme of the escape. The Majestrates or some of them of that Jurisdiccon where for the present the said prisoner or fugitive abideth shall forthwith graunt such a warrant as the case will beare for the apprehending of any such person, and the delivery of him into the hands of the officer or other person that pursues him. And if there be help required for the safe returneing of any such offender, then it shalbe graunted to him that craves the same, he paying the charges thereof.

IX. And for that the justest warrs may be of dangerous consequence, espetially to the smaler plantacons in these vnited Colonies, It is agreed that neither the Massachusetts, Plymouth, Connectacutt nor New-Haven, nor any of the members of any of them shall at any tyme hereafter begin, undertake, or engage themselues or this Confederacon, or any part thereof in any warr whatsoever (sudden exegents with the necessary consequents thereof excepted) which are also to be moderated as much as the case will permit) without the consent and agreement of the forenamed eight Commissioners, or at least six of them, as in the sixt Article is provided: And that no charge be required of any of the Confederats in case of a defensiue warr till the said Commissioners haue mett and approued the justice of the warr, and have agreed vpon the

sum of money to be levyed, which sum is then to be payd by the severall Confederates in proporcon according to the fourth Article.

X. That in extraordinary occations when meetings are summoned by three Majistrats of any Jurisdiccon, or two as in the fift Article, If any of the Commissioners come not, due warneing being given or sent, It is agreed that foure of the Commissioners shall have power to direct a warr which cannot be delayed and to send for due proporcons of men out of eich Jurisdiccon, as well as six might doe if all mett; but not less than six shall determine the justice of the warr or allow the demanude of bills of charges or cause any levies to be made for the same.

XI. It is further agreed that if any of the Confederates shall hereafter break any of these present Articles, or be any other wayes injurious to any one of thother Jurisdiccons, such breach of Agreement, or injurie, shalbe duly considered and ordered by the Commissioners for thother Jurisdiccons, that both peace and this present Confederacon may be entirely preserued without violation.

XII. Lastly, this perpetuall Confederacon and the several Articles and Agreements thereof being read and seriously considered, both by the Generall Court for the Massachusetts, and by the Commissioners for Plymouth, Connectacutt and New Haven, were fully allowed and confirmed by three of the forenamed Confederates, namely, the Massachusetts, Connectacutt and New-Haven, Onely the Commissioners for Plymouth, having no Commission to conclude, desired respite till they might advise with their Generall Court, wherevpon it was agreed and concluded by the said court of the Massachusetts, and the Commissioners for the other two Confederates, That if Plymouth Consent, then the whole treaty as it stands in these present articles is and shall continue firme and stable without alteracon: But if Plymouth come not in, yet the other three Confederates

doe by these presents confirme the whole Confederacon and all the Articles thereof, onely, in September next, when the second meeting of the Commissioners is to be at Bostone, new consideracon may be taken of the sixt Article, which concernes number of Commissioners for meeting and concluding the affaires of this Confederacon to the satisfaccon of the court of the Massachusetts, and the Commissioners for thother two Confederates, but the rest to stand vnquestioned.

In testymony whereof, the Generall Court of the Massachusetts by their Secretary, and the Commissioners for Connectacutt and New-Haven haue subscribed these presente articles, this xixth of the third month, commonly called May, Anno Domini, 1643.

At a Meeting of the Commissioners for the Confederacon, held at Boston, the Seaventh of September. It appeareing that the Generall Court of New Plymouth, and the severall Towneships thereof have read, considered and approoued these articles of Confederacon, as appeareth by Comission from their Generall Court beareing Date the xxixth of August, 1643, to Mr. Edward Winslowe and Mr. Will Collyer, to ratifye and confirme the same on their behalf, wee therefore, the Comissioners for the Mattachusetts, Conecktacutt and New Haven, doe also for our seuerall Gouernments, subscribe vnto them.

JOHN WINTHROP, Governor of Massachusetts,
THO. DUDLEY,
THEOPH. EATON,
GEO. FENWICK,
EDWA. HOPKINS,
THOMAS GREGSON.

PENN'S PLAN OF UNION—1697.

MR. PENN'S PLAN FOR A UNION OF THE COLONIES IN AMERICA.[1]

A BRIEFE and Plaine Scheam how the English Colonies in the North parts of America, viz.: Boston, Connecticut, Road Island, New York, New Jerseys, Pensilvania, Maryland, Virginia, and Carolina may be made more usefull to the Crowne, and one another's peace and safty with an universall concurrence.

1st. That the severall Colonies before mentioned do meet once a year, and oftener if need be, during the war, and at least once in two years in times of peace, by their stated and appointed Deputies, to debate and resolve of such measures as are most adviseable for their better understanding, and the public tranquility and safety.

2d. That in order to it two persons well qualified for sence, sobriety and substance be appointed by each Province, as their Representatives or Deputies, which in the whole make the Congress to consist of twenty persons.

3d. That the King's Commissioner for that purpose specially appointed shall have the chaire and preside in the said Congresse.

4th. That they shall meet as near as conveniently may be to the most centrall Colony for use of the Deputies.

5th. Since that may in all probability, be New York both because it is near the Center of the Colonies and for that it is a Frontier and in the King's nomination, the Govr.

[1] See page 32, vol. iii.

of that Colony may therefore also be the King's High Commissioner during the Session after the manner of Scotland.

6th. That their business shall be to hear and adjust all matters of Complaint or difference between Province and Province. As, 1st, where persons quit their own Province and goe to another, that they may avoid their just debts, tho they be able to pay them, 2nd, where offenders fly Justice, or Justice cannot well be had upon such offenders in the Provinces that entertaine them, 3dly, to prevent or cure injuries in point of Commerce, 4th, to consider of ways and means to support the union and safety of these Provinces against the publick enemies. In which Congresse the Quotas of men and charges will be much easier, and more equally sett, then it is possible for any establishment made here to do; for the Provinces, knowing their own condition and one another's, can debate that matter with more freedome and satisfaction and better adjust and ballance their affairs in all respects for their common safty.

7ly. That in times of war the King's High Commissioner shall be generall or chief Commander of the severall Quotas upon service against a common enemy as he shall be advised, for the good and benefit of the whole.

FRANKLIN'S PLAN OF UNION—1754.[1]

PLAN of a proposed Union of the several Colonies of Massachusetts-Bay, New Hampshire, Connecticut, Rhode Island, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina for their mutual Defence and Security, and for the extending the British Settlements in North America.

That humble application be made for an act of Parliament of Great Britain, by virtue of which one general government may be formed in America, including all the said Colonies, within and under which government each Colony may retain its present constitution, except in the particulars wherein a change may be directed by the said act, as hereafter follows.

PRESIDENT-GENERAL AND GRAND COUNCIL.

That the said general government be administered by a President-General, to be appointed and supported by the crown; and a Grand Council to be chosen by the representatives of the people of the several Colonies met in their respective assemblies.

It was thought that it would be best the President-General should be supported as well as appointed by the crown, that so all disputes between him and the Grand-Council concerning his salary might be prevented; as such disputes have been frequently of mischievous consequence in particular Colonies, especially in time of public danger. The quitrents of crown lands in America might in a short time be sufficient for this purpose. The choice of members

[1] See page 114, vol. iii.

for the Grand-Council is placed in the House of Representatives of each government, in order to give the people a share in this new general government, as the crown has its share by the appointment of the President-General.

But it being proposed by the gentlemen of the Council of New York, and some other counsellors among the commissioners, to alter the plan in this particular, and to give the governors and councils of the several Provinces a share in the choice of the Grand-Council, or at least a power of approving and confirming, or of disallowing, the choice made by the House of Representatives, it was said,—" That the government or constitution, proposed to be formed by the plan, consists of two branches: a President-General appointed by the crown, and a Council chosen by the people, or by the people's representatives, which is the same thing.

" That, by a subsequent article, the council chosen by the people can effect nothing without the consent of the President-General appointed by the crown; the crown possesses, therefore, full one half of the power of this constitution.

" That in the British constitution, the crown is supposed to possess but one third, the Lords having their share.

" That the constitution seemed rather more favorable for the crown.

" That it is essential to English liberty that the subject should not be taxed but by his own consent, or the consent of his elected representatives.

" That taxes to be laid and levied by this proposed constitution will be proposed and agreed to by the representatives of the people, if the plan in this particular be preserved.

" But if the proposed alteration should take place, it seemed as if matters may be so managed, as that the crown shall finally have the appointment, not only of the President-General, but of a majority of the Grand-Council; for seven out of eleven governors and councils are appointed by the crown.

"And so the people in all the Colonies would in effect be taxed by their governors.

" It was therefore apprehended, that such alterations of the plan would give great dissatisfaction, and that the Colonies could not be easy under such a power in governors, and such an infringement of what they take to be English liberty.

" Besides, the giving a share in the choice of the Grand Council would not be equal with respect to all the Colonies, as their constitutions differ. In some, both governor and council are appointed by the crown. In others, they are both appointed by the proprietors.

In some, the people have a share in the choice of the council; in others, both government and council are wholly chosen by the people. But the House of Representatives is everywhere chosen by the people; and, therefore, placing the right of choosing the Grand Council in the representatives is equal with respect to all.

" That the Grand Council is intended to represent all the several Houses of Representatives of the Colonies, as a House of Representatives doth the several towns or counties of a Colony. Could all the people of a Colony be consulted and unite in public measures, a House of Representatives would be needless, and could all the Assemblies consult and unite in general measures, the Grand Council would be unnecessary.

" That a House of Commons or the House of Representatives, and the Grand Council are alike in their nature and intention. And, as it would seem improper that the King or House of Lords should have a power of disallowing or appointing Members of the House of Commons; so, likewise, that a governor and council appointed by the crown should have a power of disallowing or appointing members of the Grand Council, who, in this constitution, are to be the representatives of the people.

" If the governor and councils therefore were to have a share in the choice of any that are to conduct this general government, it should seem more proper that they should choose the President-General. But this being an office of great trust and importance to the nation, it was thought better to be filled by the immediate appointment of the crown.

" The power proposed to be given by the plan to the Grand Council is only a concentration of the powers of the several assemblies in certain points for the general welfare; as the power of the President-General is of the several governors in the same point.

" And as the choice therefore of the Grand Council, by the representatives of the people, neither gives the people any new powers, nor diminishes the power of the crown, it was thought and hoped the crown would not disapprove of it."

Upon the whole, the commissioners were of opinion, that the choice was most properly placed in the representatives of the people.

ELECTION OF MEMBERS.

That within months after the passing such act, the House of Representatives that happens to be sitting within that time, or that shall be especially for that pur-

pose convened, may and shall choose members for the Grand Council, in the following proportion, that is to say,

Massachusetts Bay	7
New Hampshire	2
Connecticut	5
Rhode Island	2
New York	4
New Jersey	3
Pennsylvania	6
Maryland	4
Virginia	7
North Carolina	4
South Carolina	4
	48

It was thought, that if the least Colony was allowed two, and the others in proportion, the number would be very great, and the expense heavy; and that less than two would not be convenient, as, a single person being by any accident prevented appearing at the meeting, the Colony he ought appear for would not be represented. That, as the choice was not immediately popular, they would be generally men of good abilities for business, and men of reputation for integrity, and that forty-eight such men might be a number sufficient. But, though it was thought reasonable that each Colony should have a share in the representative body in some degree according to the proportion it contributed to the general treasury, yet the proportion of wealth or power of the Colonies is not to be judged by the proportion here fixed: because it was at first agreed, that the greatest Colony should not have more than seven members, nor the least less than two; and the setting these proportions between these two extremes was not nicely attended to, as it would find itself, after the first election, from the sum brought into the treasury by a subsequent article.

PLACE OF FIRST MEETING.

—Who shall meet for the first time at the city of Philadelphia in Pennsylvania, being called by the President-General as soon as conveniently may be after his appointment.

Philadelphia was named as being nearer the centre of the Colonies, where the commissioners would be well and cheaply accommodated. The high roads, through the whole extent, are for the most part very good, in which forty or fifty miles a day may very well be, and frequently are, travelled. Great part of the way may likewise be gone by water. In summer time, the passages are frequently performed in a week from Charleston to Philadelphia and New York, and from Rhode Island to New York through the Sound, in two or three days, and from New York to Philadelphia, by water and land, in two days, by stage boats, and street carriages that set out every other day. The journey from Charleston to Philadelphia may likewise be facilitated by boats running up Chesapeake Bay three hundred miles. But if the whole journey be performed on horseback, the most distant members, viz., the two from New Hampshire and from South Carolina, may probably render themselves at Philadelphia in fifteen or twenty days; the majority may be there in much less time.

NEW ELECTION.

That there shall be a new election of the members of the Grand Council every three years; and, on the death or resignation of any member, his place should be supplied by a new choice at the next sitting of the Assembly of the Colony he represented.

Some Colonies have annual assemblies, some continue during a governor's pleasure; three years was thought a reasonable medium as affording a new member time to improve himself in the business, and to act after such improvement, and yet giving opportunities, frequently enough, to change him if he has misbehaved.

PROPORTION OF MEMBERS AFTER THE FIRST THREE YEARS.

That after the first three years, when the proportion of money arising out of each Colony to the general treasury can be known, the number of members to be chosen for each Colony shall, from time to time, in all ensuing elections, be regulated by that proportion, yet so as that

the number to be chosen by any one Province be not more than seven, nor less than two.

By a subsequent article, it is proposed that the General Council shall lay and levy such general duties as to them may appear most equal and least burdensome, etc. Suppose, for instance, they lay a small duty or excise on some commodity imported into or made in the Colonies, and pretty generally and equally used in all of them, as rum, perhaps, or wine; the yearly produce of this duty or excise, if fairly collected, would be in some Colonies greater, in others less, as the Colonies are greater or smaller. When the collector's accounts are brought in, the proportions will appear; and from them it is proposed to regulate the proportion of the representatives to be chosen at the next general election, within the limits, however, of seven and two. These numbers may therefore vary in the course of years, as the Colonies may in the growth and increase of people. And thus the quota of tax from each Colony would naturally vary with its circumstances, thereby preventing all disputes and dissatisfaction about the just proportions due from each, which might otherwise produce penicious consequences, and destroy the harmony and good agreement that ought to subsist between the several parts of the Union.

MEETINGS OF THE GRAND COUNCIL AND CALL.

That the Grand Council shall meet once in every year, and oftener if occasion require, at such time and place as they shall adjourn to at the last preceding meeting, or as they shall be called to meet at by the President-General on any emergency; he having first obtained in writing the consent of seven of the members to such call, and sent due and timely notice to the whole.

It was thought, in establishing and governing new Colonies or settlements, or regulating Indian trade, Indian treaties, etc., there would, every year, sufficient business arise to require at least one meeting, and at such meeting many things might be suggested for the benefit of all the Colonies. This annual meeting may either be at a time and place certain, to be fixed by the President-General and Grand Council at their first meeting; or left at liberty, to be at such time and place as they shall adjourn to, or be called to meet at, by the President-General.

In time of war, it seems convenient that the meeting should be in that colony which is nearest the seat of action.

The power of calling them on any emergency seemed necessary to be vested in the President-General; but, that such power might not be wantonly used to harass the members, and oblige them to make frequent long journeys to little purpose, the consent of seven at least to such call was supposed a convenient guard.

CONTINUANCE.

That the Grand Council have power to choose their speaker; and shall neither be dissolved, prorogued, nor continued sitting longer than six weeks at one time, without their own consent or the special command of the crown.

The speaker should be presented for approbation; it being convenient, to prevent misunderstandings and disgusts, that the mouth of the Council should be a person agreeable, if possible, to the Council and President-General.

Governors have sometimes wantonly exercised the power of proroguing or continuing the sessions of assemblies, merely to harass the members and compel a compliance; and sometimes dissolve them on slight disgusts. This it was feared might be done by the President-General, if not provided against; and the inconvenience and hardship would be greater in the general government than in particular Colonies, in proportion to the distance the members must be from home during sittings, and the long journeys some of them must necessarily take.

MEMBERS' ALLOWANCE.

That the members of the Grand Council shall be allowed for their service ten shillings per diem, during their session and journey to and from the place of meeting; twenty miles to be reckoned a day's journey.

It was thought proper to allow some wages, lest the expense might deter some suitable persons from the service; and not to allow too great wages, lest unsuitable persons should be tempted to cabal for the employment, for the sake of gain. Twenty miles were set down as a day's journey, to allow for accidental hindrances on the road, and the greater expenses of travelling than residing at the place of meeting.

APPENDIX

ASSENT OF PRESIDENT-GENERAL AND HIS DUTY.

That the assent of the President-General be requisite to all acts of the Grand Council, and that it be his office and duty to cause them to be carried into execution.

The assent of the President-General to all acts of the Grand Council was made necessary in order to give the crown its due share of influence in this government, and connect it with that of Great Britain. The President-General, besides one half of the legislative power, hath in his hands the whole executive power.

POWER OF PRESIDENT-GENERAL AND GRAND COUNCIL, TREATIES OF PEACE AND WAR.

That the President-General, with the advice of the Grand Council, hold or direct all Indian treaties, in which the general interest of the Colonies may be concerned, and make peace or declare war with Indian nations.

The power of making peace or war with Indian nations is at present supposed to be in every Colony, and is expressly granted to some by charter, so that no new power is hereby intended to be granted to the Colonies. But as, in consequence of this power, one Colony might make peace with a nation that another was justly engaged in war with; or make war on slight occasion without the concurrence or approbation of neighboring Colonies, greatly endangered by it; or make particular treaties of neutrality in case of a general war, to their own private advantage in trade, by supplying the common enemy, of all which there have been instances, it was thought better to have all treaties of a general nature under a general direction, that so the good of the whole may be consulted and provided for.

INDIAN TRADE.

That they make such laws as they judge necessary for regulating all Indian trade.

Many quarrels and wars have arisen between the colonies and Indian nations, through the bad conduct of traders, who cheat the Indians after making them drunk, etc., to the great expense of the colonies, both in blood and treasure. Particular colonies are so interested in the trade, as not to be willing to admit such

a regulation as might be best for the whole; and therefore it was thought best under a general direction.

INDIAN PURCHASES.

That they make all purchases from Indians, for the crown, of lands not now within the bounds of particular colonies, or that shall not be within their bounds when some of them are reduced to more convenient dimensions.

Purchases from the Indians, made by private persons, have been attended with many inconveniences. They have frequently interfered and occasioned uncertainty of titles, many disputes and expensive lawsuits, and hindered the settlement of the land so disputed. Then the Indians have been cheated by such private purchases, and discontent and wars have been the consequence. These would be prevented by public fair purchases.

Several of the Colony charters in America extend their bounds to the South Sea, which may perhaps be three or four thousand miles in length to one or two thundred miles in breadth. It is supposed they must in time be reduced to dimensions more convenient for the common purposes of government.

Very little of the land in these grants is yet purchased of the Indians.

It is much cheaper to purchase of them, than to take and maintain the possession by force; for they are generally very reasonable in their demands for land; and the expense of guarding a large frontier against their incursions is vastly great; because all must be guarded, and always guarded, as we know not where or when to expect them.

NEW SETTLEMENTS.

That they make new settlements on such purchases by granting lands in the King's name, reserving a quit-rent to the crown for the use of the general treasury.

It is supposed better that there should be one purchaser than many; and that the crown should be that purchaser, or the Union in the name of the crown. By this means the bargains may be more easily made, the price not enhanced by numerous bidders, future disputes about private Indian purchases, and monopolies of vast tracts to particular persons (which are prejudicial to the settlement and peopling of the country), prevented; and, the land

being again granted in small tracts to the settlers, the quit-rents reserved may in time become a fund for support of government, for defence of the country, ease of taxes, etc.

Strong forts on the Lakes, the Ohio, etc., may, at the same time they secure our present frontiers, serve to defend new colonies settled under their protection; and such colonies would also mutually defend and support such forts, and better secure the friendship of the far Indians.

A particular colony has scarce strength enough to exert itself by new settlements, at so great a distance from the old; but the joint force of the Union might suddenly establish a new colony or two in those parts, or extend an old colony to particular passes, greatly to the security of our present frontiers, increase of trade and people, breaking off the French communication between Canada and Louisiana, and speedy settlement of the intermediate lands.

The power of settling new colonies is therefore thought a valuable part of the plan, and what cannot so well be executed by two unions as by one.

LAWS TO GOVERN THEM.

That they make laws for regulating and governing such new settlements, till the crown shall think fit to form them into particular governments.

The making of laws suitable for the new colonies, it was thought, would be properly vested in the president-general and grand council; under whose protection they must at first necessarily be, and who would be well acquainted with their circumstances, as having settled them. When they are become sufficiently populous, they may by the crown be formed into complete and distinct governments.

The appointment of a sub-president by the crown, to take place in case of the death or absence of the president-general, would perhaps be an improvement of the plan; and if all the governors of particular provinces were to be formed into a standing council of state, for the advice and assistance of the president-general, it might be another considerable improvement.

RAISE SOLDIERS, AND EQUIP VESSELS, ETC.

That they raise and pay soldiers and build forts for the defence of any of the colonies, and equip vessels of force

to guard the coasts and protect the trade on the ocean, lakes, or great rivers; but they shall not impress men in any colony, without the consent of the legislature.

It was thought, that quotas of men, to be raised and paid by the several colonies, and joined for any public service, could not always be got together with the necessary expedition. For instance, suppose one thousand men should be wanted in New Hampshire on any emergency. To fetch them by fifties and hundreds out of every colony, as far as South Carolina, would be inconvenient, the transportation chargeable, and the occasion perhaps passed before they could be assembled; and therefore it would be best to raise them (by offering bounty money and pay) near the place where they would be wanted, to be discharged again when the service should be over.

Particular colonies are at present backward to build forts at their own expense, which they say will be equally useful to their neighboring colonies, who refuse to join, on a presumption that such forts will be built and kept up, though they contribute nothing. This unjust conduct weakens the whole; but, the forts being for the good of the whole, it was thought best they should be built and maintained by the whole, out of the common treasury.

In the time of war, small vessels of force are sometimes necessary in the colonies to scour the coasts of small privateers. These being provided by the Union will be an advantage in turn to the colonies which are situated on the sea, and whose frontiers on the land-side, being covered by other colonies, reap but little immediate benefit from the advanced forts.

POWER TO MAKE LAWS, LAY DUTIES, ETC.

That for these purposes they have power to make laws and lay and levy such general duties, imposts or taxes, as to them shall appear most equal and just (considering the ability and other circumstances of the inhabitants in the several colonies), and such as may be collected with the least inconvenience to the people; rather discouraging luxury, than loading industry with unnecessary burdens.

The laws which the president-general and grand council are

empowered to make are such only as shall be necessary for the government of the settlements; the raising, regulating, and paying soldiers for the general service; the regulating of Indian trade; and laying and collecting the general duties and taxes. They should also have a power to restrain the exportation of provisions to the enemy from any of the colonies, on particular occasions, in time of war. But it is not intended that they may interfere with the constitution or government of the particular colonies, who are to be left to their own laws, and to lay, levy and apply their own taxes as before.

GENERAL TREASURER AND PARTICULAR TREASURER.

That they may appoint a General Treasurer, and Particular Treasurer in government when necessary; and, from time to time, may order the sums in the treasuries of each government into the general treasury, or draw on them for special payments, as they find most convenient.

The treasurers here meant are only for the general funds and not for the particular funds of each colony, which remain in the hands of their own treasurers at their own disposal.

MONEY, HOW TO ISSUE.

Yet no money to issue but by joint orders of the President-General and Grand Council, except where sums have been appointed to particular purposes, and the President-General is previously empowered by an act to draw such sums.

To prevent misapplication of the money, or even application that might be dissatisfactory to the crown or the people, it was thought necessary to join the president-general and grand council in all issues of money.

ACCOUNTS.

That the general accounts shall be yearly settled and reported to the several Assemblies.

By communicating the accounts yearly to each Assembly, they will be satisfied of the prudent and honest conduct of their representatives in the grand council.

QUORUM.

That a quorum of the Grand Council, empowered to act with the President-General, do consist of twenty-five members; among whom there shall be one or more from a majority of the Colonies.

The quorum seems large, but it was thought it would not be satisfactory to the colonies in general, to have matters of importance to the whole transacted by a smaller number, or even by this number of twenty-five, unless there were among them one at least from a majority of the colonies, because otherwise, the whole quorum being made up of members from three or four colonies at one end of the union, something might be done that would not be equal with respect to the rest, and thence dissatisfaction and discords might rise to the prejudice of the whole.

LAWS TO BE TRANSMITTED.

That the laws made by them for the purposes aforesaid shall not be repugnant, but, as near as may be, agreeable to the laws of England, and shall be transmitted to the King in Council for approbation, as soon as may be after their passing; and if not disapproved within three years after presentation, to remain in force.

This was thought necessary for the satisfaction of the crown, to preserve the connection of the parts of the British empire with the whole, of the members with the head, and to induce greater care and circumspection in making of the laws, that they be good in themselves and for the general benefit.

DEATH OF THE PRESIDENT-GENERAL.

That, in case of the death of the President-General, the Speaker of the Grand Council for the time being shall suc-

ceed, and be vested with the same powers and authorities, to continue till the King's pleasure be known.

It might be better, perhaps, as was said before, if the crown appointed a vice-president, to take place on the death or absence of the president-general; for so we should be more sure of a suitable person at the head of the colonies. On the death or absence of both, the speaker to take place (or rather the eldest King's governor) till his Majesty's pleasure be known.

OFFICERS, HOW APPOINTED.

That all military commission officers, whether for land or sea service, to act under this general constitution, shall be nominated by the President-General; but the approbation of the Grand Council is to be obtained, before they receive their commissions. And all civil officers are to be nominated by the Grand Council, and to receive the President-General's approbation before they officiate.

It was thought it might be very prejudicial to the service, to have officers appointed unknown to the people or unacceptable, the generality of Americans serving willingly under officers they know; and not caring to engage in the service under strangers, or such as are often appointed by governors through favor or interest. The service here meant, is not the stated, settled service in standing troops; but any sudden and short service, either for defence of our colonies, or invading the enemy's country (such as the expedition to Cape Breton in the last war; in which many substantial farmers and tradesmen engaged as common soldiers, under officers of their own country, for whom they had an esteem and affection; who would not have engaged in a standing army, or under officers from England). It was therefore thought best to give the Council the power of approving the officers, which the people will look on as a great security of their being good men. And without some such provision as this, it was thought the expense of engaging men in the service on any emergency would be much greater, and the number who could be induced to engage much less; and that therefore it would be most for the King's service and the general benefit of the nation, that the prerogative should relax a little in this particular throughout all the colonies in Amer-

ica; as it had already done much more in the charters of some particular colonies, viz.: Connecticut and Rhode Island.

The civil officers will be chiefly treasurers and collectors of taxes; and the suitable persons are most likely to be known by the council.

VACANCIES, HOW SUPPLIED.

But, in case of vacancy by death or removal of any officer civil or military, under this constitution, the Governor of the province in which such vacancy happens, may appoint, till the pleasure of the President-General and Grand Council can be known.

The vacancies were thought best supplied by the governors in each province, till a new appointment can be regularly made; otherwise the service might suffer before the meeting of the president-general and grand council.

EACH COLONY MAY DEFEND ITSELF IN EMERGENCY, ETC.

That the particular military as well as civil establishments in each colony remain in their present state, the general constitution notwithstanding; and that on sudden emergencies any colony may defend itself, and lay the accounts of expense thence arising before the president-general and general council, who may allow and order payment of the same, as far as they judge such accounts just and reasonable.

Otherwise the union of the whole would weaken the parts, contrary to the design of the union. The accounts are to be judged of by the president-general and grand council, and allowed if found reasonable. This was thought necessary to encourage colonies to defend themselves, as the expense would be light when borne by the whole; and also to check imprudent and lavish expense in such defences

ARTICLES OF CONFEDERATION—1777.[1]

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names, send greeting.

WHEREAS the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventyseven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia in the Words following, viz.

Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

ARTICLE I. The stile of this confederacy shall be "The United States of America."

ARTICLE II. Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

ARTICLE III. The said States hereby severally enter

[1] See page 20, vol. v.

into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall upon demand of the Governor or Executive power, of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other State.

ARTICLE V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first

Monday in November, in every year, with a power reserved to each State, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States, in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court, or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No State without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conferrence, agreement, alliance or treaty with any king prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled,

specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defence of such State, or its trade; nor shall any body of forces be kept up by any State, in time of peace, except such number only, as in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for

that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII. When land-forces are raised by any State for the common defence, all officers of or under the rank of colonel, shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

ARTICLE VIII. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States within the time agreed upon by the United States in Congress assembled.

ARTICLE IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors —entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding

in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree

in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdiction as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also

have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States.—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated—establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expenses of the said office—appointing all officers of the land forces, in the service of the United States, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted,—to build and equip a navy—to agree upon the number of land forces, and to make requisitions

from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the Legislature of each State shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expense of the United States; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such State, unless the legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for

adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secresy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the Legislatures of the several States.

ARTICLE X. The committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ARTICLE XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed

and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

ARTICLE XIII. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it has pleased the Great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: and we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the States we re[s]pectively represent, and that the Union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

On the part & behalf of the State of New Hampshire.

JOSIAH BARTLETT, JOHN WENTWORTH, Junr., August 8th, 1778.

On the part and behalf of the State of Massachusetts Bay

JOHN HANCOCK, FRANCIS DANA,
SAMUEL ADAMS, JAMES LOVELL,
ELBRIDGE GERRY, SAMUEL HOLTEN.

On the part and behalf of the State of Rhode Island and Providence Plantations.

WILLIAM ELLERY, JOHN COLLINS.
HENRY MARCHANT,

On the part and behalf of the State of Connecticut.

ROGER SHERMAN, TITUS HOSMER,
SAMUEL HUNTINGTON, ANDREW ADAMS.
OLIVER WOLCOTT,

On the part and behalf of the State of New York.

JAS. DUANE, WM. DUER,
FRA. LEWIS, GOUV. MORRIS.

On the part and in behalf of the State of New Jersey, Novr. 26, 1778.

JNO. WITHERSPOON, NATH. SCUDDER.

On the part and behalf of the State of Pennsylvania

ROBT. MORRIS, WILLIAM CLINGAN,
DANIEL ROBERDEAU, JOSEPH REED,
JONA. BAYARD SMITH, 22d July, 1778.

On the part & behalf of the State of Delaware.

THO. M'KEAN, NICHOLAS VAN DYKE.
Feby. 12, 1779.
JOHN DICKINSON, May 5th, 1779.

On the part and behalf of the State of Maryland.

JOHN HANSON, DANIEL CARROLL,
March 1, 1781. Mar. 1, 1781.

On the part and behalf of the State of Virginia.

RICHARD HENRY LEE,
JOHN BANISTER,
THOMAS ADAMS,
JNO. HARVIE,
FRANCIS LIGHTFOOT LEE.

On the part and behalf of the State of No. Carolina.

JOHN PENN, July 21, 1778.
CORNS. HARNETT,
JNO. WILLIAMS.

On the part and behalf of the State of South Carolina

HENRY LAURENS,
WILLIAM HENRY DRAYTON,
THOS. HEYWARD, Junr.
JNO. MATHEWS,
RICHD. HUTSON.

On the part and behalf of the State of Georgia.

JNO. WALTON,
24th July, 1778.
EDWD. TELFAIR.
EDWD. LANGWORTHY.

PART II

ORIGINAL DOCUMENTS

1772–1781

ORIGINAL DOCUMENTS

The Rights of the Colonists, 1772

Early in 1772 Samuel Adams proposed to the towns of Massachusetts that they should appoint committees of correspondence for consultation on mutual interests. Within a few months his proposition was accepted by eighty towns, and from this action sprang the intercolonial committees of correspondence. As the author of the movement Mr. Adams was looked to for an exposition of the views of the colonists, and the following is the report he made as from the Committee of Correspondence to the Boston town meeting, on November 20, 1772. Text from "Old South Leaflet," Vol. VII., No. 173. (See page 2.)

The Rights of the Colonists as Men

Among the natural rights of the colonists are these: First, a right to life. Second, to liberty. Thirdly, to property; together with the right to support and defend them in the best manner they can. These are evident branches of, rather than deductions from, the duty of self-preservation, commonly called the first law of nature.

All men have a right to remain in a state of nature as long as they please, and in case of intolerable oppression, civil or religious, to leave the society they belong to and enter into another.

[1] The final page references in the introductions are to allusions in the History which are explained and illustrated in these documents.

When men enter into society it is by voluntary consent, and they have a right to demand and insist upon the performance of such conditions and previous limitations as form an equitable original compact.

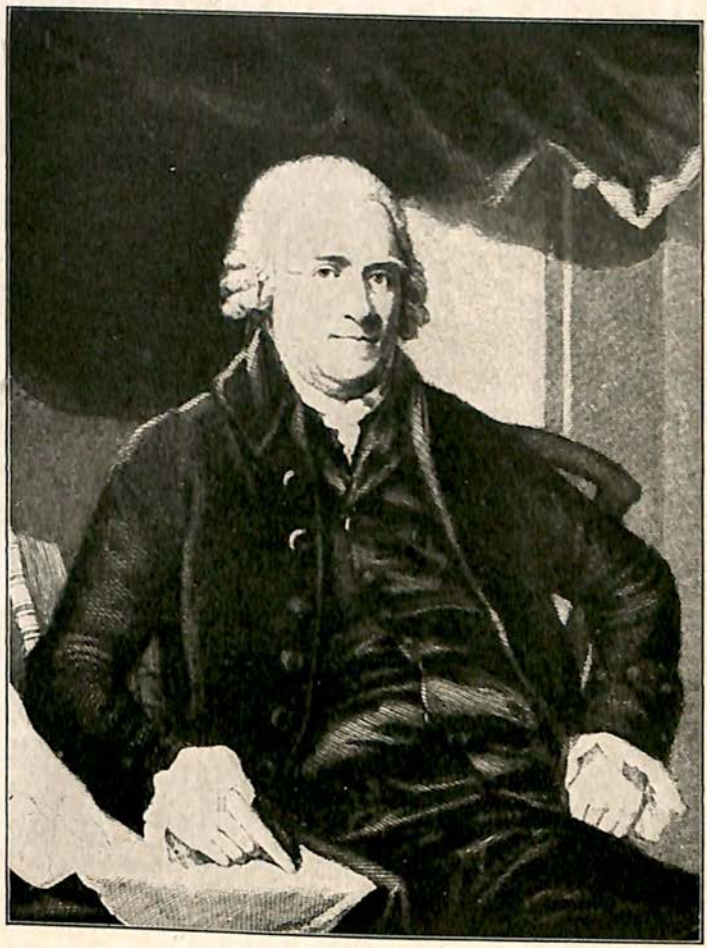
Every natural right not expressly given up, or from the nature of a social compact necessarily ceded, remains.

All positive and civil laws should conform, as far as possible, to the law of natural reason and equity.

As neither reason requires nor religion permits the contrary, every man living in or out of a state of civil society has a right peaceably and quietly to worship God according to the dictates of his conscience.

"Just and true liberty, equal and impartial liberty," in matters spiritual and temporal is a thing that all men are clearly entitled to by the eternal and immutable laws of God and nature, as well as by the laws of nations and all well-grounded and municipal laws, which must have their foundation in the former.

In regard to religion, mutual toleration in the different professions thereof is what all good and candid minds in all ages have ever practised, and both by precept and example inculcated on mankind. It is now generally agreed among Christians that this spirit of toleration, in the fullest extent consistent with the being of civil society, is the chief characteristical mark of the true Church. In so much that Mr. Locke has asserted and proved, beyond the possibility of contradiction on any solid ground, that such toleration ought to be extended to all whose doctrines are not subversive of society. The only sects which he thinks ought to be, and which by all wise laws are, excluded from such toleration are those who teach doctrines subversive of the civil government under which they live. The Roman Catholics, or Papists, are excluded by reason of such doctrines as these: That princes excommunicated may be deposed, and those that they call heretics may be



Sam'l Adams

SAMUEL ADAMS
(From the Johnson picture made late in life)

destroyed without mercy; besides their recognizing the Pope in so absolute a manner, in subversion of government, by introducing, as far as possible into the states under whose protection they enjoy life, liberty, and property, that solecism in politics, *imperium in imperio*, leading directly to the worst anarchy and confusion, civil discord, war, and bloodshed.

JOHN WILKES, FOUNDER OF THE "SOCIETY FOR SUPPORTING THE BILL OF RIGHTS"

(From an engraving by E. Bouquet after an original picture by Pine.)

The natural liberty of man by entering into society is abridged or restrained, so far only as is necessary for the great end of society—the best good of the whole.

In the state of nature every man is, under God, judge and sole judge of his own rights and of the injuries done him. By entering into society he agrees to an arbiter or indifferent judge between him and his neighbors; but he no more renounces his original right, thereby taking a cause out of the ordinary course of law, and leaving the decision to referees or indifferent arbitrators. In the last case, he must pay the referee for time and trouble. He should also be willing to pay his just quota for the support of the government, the law, and the Constitution, the end of which is to furnish indifferent and impartial judges in all cases that may happen, whether civil, ecclesiastical, marine, or military.

The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but only to have the law of nature for his rule.

In the state of nature men may, as the patriarchs did, employ hired servants for the defence of their lives, liberties, and property, and they shall pay them reasonable wages. Government was instituted for the purpose of common defence, and those who hold the reins of government have an equitable, natural right to an honorable support from the same principle that "the laborer is worthy of his hire." But then the same community which they serve ought to be the assessors of their pay. Governors have a right to seek and take what they please; by this, instead of being content with the station assigned them, that of honorable servants of the society, they would soon become absolute masters, despots, and tyrants. Hence, as a private man has a right to say what wages he will give in his private affairs, so has a community to determine what they will give and grant of their substance for the administration of public

affairs. And in both cases more are ready to offer their service at the proposed and stipulated price than are able and willing to perform their duty.

In short, it is the greatest absurdity to suppose it in the power of one, or of any number of men, at the entering into society to renounce their essential natural rights, or the means of preserving those rights, when the grand end of civil government, from the very nature of its institution, is for the support, protection, and defence of those very rights; the principal of which, as is before observed, are life, liberty, and property. If men, through fear, fraud, or mistake, should in terms renounce or give up any essential natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right of freedom being the gift of God Almighty, it is not in the power of man to alienate this gift and voluntarily become a slave.

ARTHUR LEE OF VIRGINIA
(At this time (1772) he was in London acting as the Colony's agent)

As Christians

These may be best understood by reading and carefully studying the institutes of the great Law-giver and

head of the Christian Church, which are to be found clearly written and promulgated in the New Testament.

By an act of the British Parliament commonly called the Toleration Act, every subject in England, except Papists, etc., were restored to, and re-established in, his natural right to worship God according to the dictates of his own conscience. And by the charter of this province it is granted, ordained, and established (that is, declared as an original right) that there shall be liberty of conscience allowed in the worship of God to all Christians, except Papists, inhabiting, or which shall inhabit or be resident within, such province or territory. Magna Charta itself is in substance but a constrained declaration or proclamation and promulgation in the name of King, Lords, and Commons, of the sense the latter had their original, inherent, indefeasible, natural rights, as also those of free citizens equally perdurable with the other. That great author, that great jurist, and even that court writer, Mr. Justice Blackstone, holds that this recognition was justly obtained of King John, sword in hand. And peradventure it must be one day, sword in hand, again rescued and preserved from total destruction and oblivion.

As Subjects

A commonwealth or state is a body politic, or civil society of men united together to promote their mutual safety and prosperity by means of their union.

The absolute right of Englishmen and all freemen, in or out of civil society, are principally personal security, personal liberty, and private property.

All persons born in the British American Colonies are by the laws of God and nature, and by the common law of England, exclusive of all charters from the Crown, well entitled, and by acts of the British Parliament are declared to be entitled, to all the natural, essential,

inherent, and inseparable rights, liberties, and privileges of subjects born in Great Britain or within the realm. Among these rights are the following, which no man, or body of men, consistently with their own rights as men and citizens, or members of society, can for themselves give up or take away from others:

First. The first fundamental positive law of all commonwealths or states is the establishing the legislative power. As the first fundamental natural law, also, which is to govern even the legislative power itself is the preservation of the society.

Secondly. The legislative has no right to absolute arbitrary power over the lives and fortunes of the people; nor can mortals assume a prerogative not only too high for men, but for angels, and therefore reserved for the Deity alone.

The legislative cannot justly assume to itself a power to rule by extempore arbitrary decrees; but it is bound to see that justice is dispensed, and that the rights of the subjects be decided by promulgated standing, and known laws, and authorized independent judges; that is, independent, as far as possible, of prince and people. There should be one rule of justice for rich and poor, for the favorite at court, and the countryman at the plough.

Thirdly. The supreme power cannot justly take from any man any part of his property without his consent in person or by his representative.

These are some of the first principles of natural law and justice, and the great barriers of all free states, and of the British constitution in particular. It is utterly irreconcilable to these principles, and to any other fundamental maxims of the common law, common sense, and reason that a British House of Commons should have a right at pleasure to give and grant the property of the colonists. (That the colonists are well entitled to all the essential rights, liberties, and privileges of men and

Sam[l] Adams

SAMUEL ADAMS

(From the *Royal American Magazine*, April, 1774)

freemen born in Britain is manifest not only from the colony charters in general, but acts of the British Parliament.) The statute of the 13th of Geo. II., c. 7, naturalizes every foreigner after seven years' residence. The words of the Massachusetts charter are these: "And further, our will and pleasure is, and we do hereby, for us, our heirs, and successors, grant, establish, and ordain that all and every of the subjects of us, our heirs and successors, which shall go to and inhabit within our said Province or Territory, and every of their children which shall happen to be born there or on the seas in going thither or returning from thence, shall have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of us, our heirs, and successors, to all intents, constructions, and purposes whatsoever, as if they and every one of them were born within this, our realm of England."

Now what liberty can there be where property is taken away without consent? Can it be said with any color of truth and justice that this continent of 3,000 miles in length, and of a breadth as yet unexplored, in which, however, it is supposed there are 5,000,000 of people, had the least voice, vote, or influence in the British Parliament? Have they altogether any more weight or power to return a single member to that House of Commons who have not inadvertently, but deliberately, assumed a power to dispose of their lives, liberties, and properties than to choose an emperor of China? Had the colonists a right to return members to the British Parliament it would only be hurtful, as from their local situation and circumstances it is impossible they should ever be truly and properly represented there. The inhabitants of this country, in all probability, in a few years will be more numerous than those of Great Britain and Ireland together; yet it is absurdly expected by the promoters of the present measure that these, with their posterity to all genera-

tions, should be easy while their property shall be disposed of by a House of Commons at 3,000 miles distant from them, and who cannot be supposed to have the least care or concern for their real interest, but must be in effect bribed against it, as every burden they lay on the colonists is so much saved or gained to themselves. Hitherto many of the colonists have been free from quit rents; but if the breath of a British House of Commons can originate an act for taking away all our money our lands will go next or be subject to rack rents from haughty and relentless landlords, who will ride at ease while we are trodden in the dirt. The colonists have been branded with the odious names of traitors and rebels only for complaining of their grievances. How long such treatment will or ought to be borne is submitted.

The First Continental Congress, 1774

Several States claim the honor of having been the first to recommend a General Congress composed of delegates from each of the Colonies. The movement was almost simultaneous, as shown by the following article in the "New York Review" for 1839, Vol. I., p. 337. (See page 21.)

"We have compiled from the American archives (published under the authority of Congress) a summary of the earliest dates in which, in every Colony, the subject of a General Congress was acted upon by any public assembly in the year 1774:—

		1774	
1.	By a town-meeting in Providence, Rhode Island .	May	17
2.	By the committee of a town-meeting in Philadelphia,	"	21
3.	By the committee of a town-meeting in New York,	"	23
4.	By the Members of the dissolved House of Burgesses of Virginia, and others at Williamsburg,	"	27
5.	By a county-meeting in Baltimore.....	"	31
6.	By a town-meeting in Norwich, Connecticut.....	June	6
7.	By a county-meeting in Newark, New Jersey.....	"	11
8.	By the Massachusetts House of Representatives, and by a town-meeting in Faneuil Hall, the same day.....	"	17
9.	By a county-meeting in Newcastle, Delaware.....	"	29
10.	By the committee of correspondence in Portsmouth, New Hampshire	July	6
11.	By a general province-meeting in Charleston, South Carolina.....	"	6, 7, 8
12.	By a district-meeting at Wilmington, North Carolina	"	21

"A comparison of these dates will at once show how strongly was the instinct of union, which, at this period, pervaded the country, and how prompt the Colonies were in adopting that principle of combination which

CHARLES THOMSON
(Secretary of the First Continental Congress)

served as the direct antagonist to the policy of the British ministry, designed as it was, by confining its obnoxious measures to one Colony, to diminish the prob-

ability of a united resistance. In looking to these dates, it should also be remembered that the Colonial action, in some instances, was independent of that of an earlier date in other Colonies. In Virginia, the recommendation of a Congress was adopted two days before the intelligence was received of a similar measure, several days earlier, both in Philadelphia and in New York."

Members of the First Continental Congress

New Hampshire.—John Sullivan, Nathaniel Folsom.

Massachusetts.—Thomas Cushing, Samuel Adams, John Adams, Robert Treat Paine.

Rhode Island and Providence Plantations.—Stephen Hopkins, Samuel Ward.

Connecticut.—Eliphalet Dyer, Roger Sherman, Silas Deane.

New York.—James Duane, Isaac Lord, Henry Wisner, John Alsop, John Jay, William Floyd, Philip Livingston.

New Jersey.—James Kinsey, Stephen Crane, William Livingston, Richard Smith, John De Hart.

Pennsylvania. — Joseph Galloway, John Morton, Charles Humphreys, Thomas Mifflin, Samuel Rhodes, Edward Biddle, George Ross, John Dickenson.

Delaware.—Cæsar Rodney, Thomas McKean, George Read.

Maryland.—Robert Goldsborough, Samuel Chase, Thomas Johnson, Matthew Tilghman, William Paca.

Virginia.—Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, Edmund Pendleton.

North Carolina.—William Hooper, Joseph Hughes, Richard Caswell.

South Carolina.—Henry Middleton, John Rutledge, Thomas Lynch, Christopher Gadsden, Edward Rutledge.

President, Peyton Randolph, of Virginia; Secretary, Charles Thomson, of Pennsylvania.

Declaration of Colonial Rights, 1774

The following declaration of rights in the form of resolutions was adopted by the First Continental Congress, sitting in Philadelphia, on October 14, 1774. Text from "Journals of the American Congress from 1774 to 1778," Vol. I., pp. 19–22; edition of 1823. (See page 30.)

Whereas, since the close of the last war, the British parliament claiming a power of right, to bind the people of America by statutes in all cases whatsoever, hath, in some acts, expressly imposed taxes on them, and in others, under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county.

And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the crown alone for their salaries, and standing armies kept in time of peace: And whereas it has lately been resolved in parliament, that by force of a statute, made in the thirty-fifth year of the reign of King Henry the Eighth, colonists may be transported to England, and tried there upon accusations for treasons, and misprisions, or concealments of treasons committed in the colonies, and by a late statute, such trials have been directed in cases therein mentioned.

And wh[illegible]s, in the last session of parliament, th[illegible] statutes [illegible] made; one, entitled "An act to disc[illegible] tinue, in such manner, and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares and merchandise, at the town, and within the harbour of Boston, in the province of Massachusetts-Bay, in North America;" another, entitled, "An

ROOM IN CARPENTER'S HALL, PHILADELPHIA IN WHICH THE FIRST CONTINENTAL CONGRESS MET, 1774

act for the better regulating the government of the province of Massachusetts-Bay in New England;" and another, entitled, "An act for the impartial administration of justice, in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts-Bay in New England;" and another statute was then made, "for making more effectual provision for the government of the province of Quebec, etc." All which statutes are impolitic, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of American rights.

And whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they

attempted to deliberate on grievances, and their dutiful, humble, loyal, and reasonable petitions to the crown for redress, have been repeatedly treated with contempt by his majesty's ministers of state:

The good people of the several colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, New-Castle, Kent and Sussex, on Delaware, Maryland, Virginia, North-Carolina, and South-Carolina justly alarmed at these arbitrary proceedings of parliament and administration, have severally elected, constituted and appointed deputies to meet, and sit in General Congress, in the city of Philadelphia, in order to obtain such establishment, as that their religion, laws, and liberties, may not be subverted. Whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration, the best means of attaining the ends aforesaid, do, in the first place, as Englishmen, their ancestors in like cases have usually done, for effecting and vindicating their rights and liberties, DECLARE,

That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following RIGHTS:

Resolved, N. C. D. 1. That they are entitled to life, liberty, and property, and that they have never ceded to any sovereign power whatever, a right to dispose of either without their consent.

Resolved, N. C. D. 2. That our ancestors, who first settled these colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England.

Resolved, N. C. D. 3. That by such emigration, they by no means forfeited, surrendered, or lost any of those

rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

Resolved, 4. That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council: and as the English colonists are not represented, and from their local

THE STATE HOUSE, PHILADELPHIA, AS IT APPEARED IN 1774

and other circumstances, cannot properly in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed. But, from the necessity of the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such acts of the British parliament; as are bona fide, restrained to the regulation of our external commerce, for the purpose of securing the com-

mercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation internal or external, for raising a revenue on the subjects in America, without their consent.

Resolved, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Resolved, 6. That they are entitled to the benefit of such of the English statutes, as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

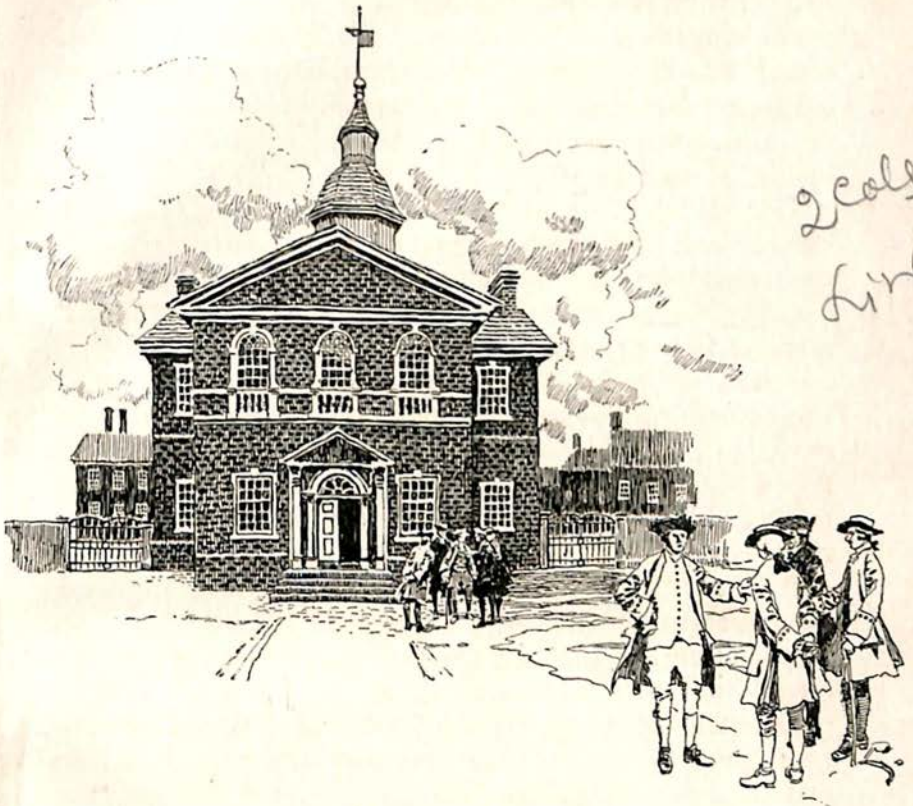
Resolved, N. C. D. 7. That these, his majesties colonies, are likewise entitled to all the immunities and privileges granted and conformed to them by royal charters, as secured by their several codes of provincial laws.

Resolved, N. C. D. 8. That they have a right peaceable to assemble, consider of their grievances, and petition the king; and that all prosecutions, prohibiting proclamations, and commitments for the same are illegal.

Resolved, N. C. D. 9. That the keeping a standing army in these colonies, in times of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

Resolved, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power in several colonies, by a counsel appointed, during pleasure, by the crown, is unconstitutional, dangerous and destructive to the freedom of American legislation.

All and each of which the aforesaid deputies, in behalf of themselves, and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered or



CARPENTER'S HALL, PHILADELPHIA, IN WHICH THE FIRST AND SECOND CONTINENTAL CONGRESS HELD THEIR SESSIONS

abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

In the course of our inquiry, we find many infringements and violations of the foregoing rights, which from an ardent desire, that harmony and mutual intercourse

of affection and interest may be restored, we pass over for the present, and proceed to state such acts and measures as have been adopted since the late war, which demonstrate a system formed to enslave America.

Resolved, N. C. D. The following acts of parliament are infringements and violations of the rights of the colonists; and that the repeal of them is essentially necessary, in order to restore harmony between Great Britain and the American colonies, viz.:

The several acts of 4 Geo. III. ch. 15, and ch. 34.—5 Geo. III. ch. 25.—6 Geo. III. ch. 52.—7 Geo. III. ch. 41, and ch. 46.—8 Geo. III. ch. 22, which impose duties for the purpose of raising a revenue in America, extend the power of the admiralty courts beyond their ancient limits, deprive the American subject of trial by jury, authorize the judges' certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subservient of American rights.

Also 12 Geo. III. ch. 24, entitled "An act for the better securing his majesty's dock-yards, magazines, ships, ammunition, and stores," which declares a new offence in America, and deprives the American subject of a constitutional trial by jury of the vicinage, by authorizing the trial of any person, charged with the committing any offence described in the said act, out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also the three acts passed in the last session of parliament, for stopping the port and blocking the harbour of Boston, for altering the charter and government of Massachusetts-Bay, and that which is entitled, "An act for the better administration of Justice, etc."

Also the act passed in the same session for establishing the Roman Catholic religion, in the province of

Quebec, abolishing the equitable system of English laws, and erecting a tyranny there, to the great danger (from so total a dissimilarity of religion, law and government) of the neighboring British Colonies, by the assistance of whose blood and treasure the said country was conquered from France.

Also, the act passed in the same session, for the better providing suitable quarters for officers and soldiers in his majesty's service, in North-America.

Also, that the keeping a standing army in several of these colonies, in time of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

To these grievous acts and measures, Americans cannot submit, but in hopes their fellow-subjects in Great Britain will, on a revision of them, restore us to that state, in which both countries found happiness and prosperity, we have for the present, only resolved to pursue the following peaceable measures: 1. To enter into a non-importation, non-consumption, and non-exportation agreement or association. 2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America: and 3. To prepare a loyal address to his majesty, agreeable to resolutions already entered into.

Address of the First Continental Congress to the Inhabitants of the Several Anglo-American Colonies, 1774

The text is from Hugh Gaine's reprint of the Journal of the Proceedings of the Congress held at Philadelphia, September 5, 1774. Published in New York, 1774. Pages 71–88. (See page 20.)

We, the Delegates appointed by the good people of these Colonies to meet at Philadelphia in September last, for the purposes mentioned by our respective Constituents, have in pursuance of the trust reposed in us, assembled, and taken into our most serious consideration the important matters recommended to the Congress. Our resolutions thereupon will be herewith communicated to you. But as the situation of public affairs grows daily more and more alarming; and as it may be more satisfactory to you to be informed by us in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and free discussion by the Representatives of so great a part of America, we esteem ourselves obliged to add this Address to these Resolutions.

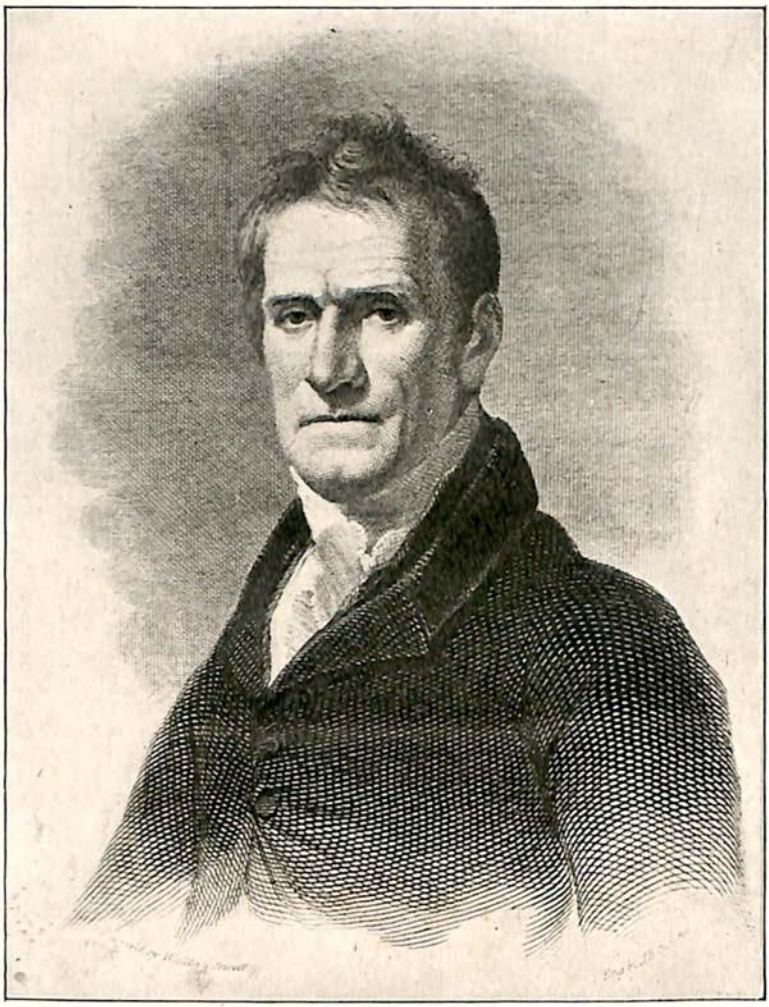
In every case of opposition by a people to their rulers, or of one state to another, duty to Almighty God, the creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition; and of the causes by which it has been provoked, or can in any degree be justified: That neither affection on one hand, nor resentment on the other,

being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all circumstances, and to settle the public conduct on the solid foundations of wisdom and justice.

FROM Councils thus tempered arise the surest hopes of the Divine favour, the firmest encouragement of the parties engaged and the strongest recommendation of their cause to the rest of mankind.

WITH minds deeply impressed by a sense of these truths, we have diligently, deliberately, and calmly enquired into and considered those exertions, both of the legislative and executive power of Great-Britain, which have excited so much uneasiness in America, and have with equal fidelity and attention considered the conduct of the Colonies. Upon the whole, we find ourselves reduced to the disagreeable alternative, of being silent and betraying the innocent, or of speaking out and censuring those we wish to revere. In making our choice of these distressing difficulties, we prefer the course dictated by honesty, and a regard for the welfare of our country.

SOON after the conclusion of the late war, there commenced a memorable change in the treatment of these Colonies. By a statute made in the fourth year of the present reign, a time of *profound peace*, alledging "the expediency of new provisions and regulations for extending the commerce between Great-Britain and his Majesty's dominions in America, and the *necessity* of *raising a Revenue* in the said dominions, for defraying the expenses of *defending*, protecting, and securing the same," the *Commons of Great-Britain* undertook to *give* and *grant* to his Majesty many rates and duties, to be paid in these Colonies. To enforce the observance of this *Act*, it prescribes a great number of severe penalties and forfeitures; and in two sections makes a remarkable distinction between the subjects in Great-Britain and those in America. By the one, the penalties and for-



CADWALLADER D. COLDEN

(From an engraving by A. B. Durand of a painting by Waldo and Jewett.)

feitures incurred *there* are to be recovered in any of the King's Courts of *Record* at *Westminster*, or in the Court of Exchequer in Scotland; and by the other, the penalties and forfeitures incurred *here* are to be recovered in any Court of Record, or in any Court of *Admiralty* or *Vice-Admiralty*, *at the election of the informer or prosecutor.*

THE Inhabitants of these Colonies confiding in the justice of Great-Britain, were scarcely allowed *sufficient* time to receive and consider this Act, before another, well known by the name of the *Stamp Act*, and passed in the fifth year of this reign, engrossed their whole attention. By this statute the British Parliament exercised in the most explicit manner a power of *taxing* us, and extending the jurisdiction of Courts of *Admiralty* and *Vice-Admiralty* in the Colonies, to matters arising within the body of a county, directed the numerous penalties and forfeitures, thereby inflicted, to be recovered in the said Courts.

IN the same year a tax was imposed upon us, by an Act, establishing several new fees in the customs. In the next year, the stamp act was repealed; not because it was founded in an erroneous principle, but as the repealing act recites, because "the continuance thereof would be attended with many inconveniences, and might be productive of consequences greatly detrimental to the commercial interest of Great Britain."

IN the same year, and by a subsequent Act, it was declared, "that his Majesty in Parliament, of right, had power to bind the people of these Colonies by Statutes *in all cases whatsoever.*"

IN the same year, another Act was passed, for imposing rates and duties payable in these Colonies. In this Statute the Commons, avoiding the terms of *giving* and *granting*, "humbly besought his Majesty that it might be enacted, &c." But from a declaration in the preamble, that the rates and duties were "in lieu of" sev-

eral others granted by the Statute first before mentioned *for raising a revenue*, and from some other expressions it appears, that these duties were intended *for that purpose*.

In the next year, (1767) an Act was made "to enable his Majesty to put the customs and *other duties* in America under the management of Commissioners, &c.," and the King thereupon erected the present expensive Board of Commissioners, for the express purpose of carrying into execution the several Acts relating to the *Revenue* and trade in *America*.

After the repeal of the Stamp-Act, having again resigned ourselves to our antient unsuspicious affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favorable alteration in sentiments and measures toward us, we did not press our objections against the above mentioned Statutes made subsequent to that repeal.

Administration attributing to trifling causes, a conduct that really proceeded from generous motives, were encouraged in the same year (1767) to make a bolder experiment on the patience of America.

By a Statute commonly called the *Glass, Paper, and Tea Act*, made fifteen months after the repeal of the *Stamp-Act*, the Commons of Great-Britain resumed their former language, and again undertook to "*give* and *grant* rates and duties to be paid in these Colonies," for the express purpose of "*raising a revenue*, to defray the charges of the *administration of justice*, the support of *civil government*, and *defending* the King's dominions," on this continent. The penalties and forfeitures, incurred under this Statute, are to be recovered *in the same manner* with those mentioned in the foregoing Acts.

To this Statute, so naturally tending to disturb the tranquillity then universal throughout the Colonies, Parliament, in the same session, added another no less extraordinary.

Ever since the making the present peace, a standing

Colo Van Schaack

THE

SPEECH

Of the HONOURABLE

Cadwallader Colden, Esq;

His Majesty's Lieut. Governor and Commander in Chief of the Colony of New-York, and the Territories depending thereon in America,

To the *Council* and the *General Assembly* of the said Colony,

On FRIDAY January 13. 1775.

Gentlemen of the Council, and General Assembly,

I THINK it unnecessary, at this Time, particularly to recommend to your Attention the ordinary Business of the Legislature; whatever may be found conducive to the Dignity of his Majesty's Government, or the Happiness of his People in this Colony, I shall chearfully promote.

Gentlemen of the General Assembly,

The Support of his Majesty's Government, and other Allowances for his Service, I doubt not you will readily provide for.

Gentlemen of the General Assembly,

We cannot sufficiently lament the present disordered State of the Colonies. The Dispute between GREAT-BRITAIN and her AMERICAN DOMINIONS, is now brought to the most alarming Crisis, and fills every humane Breast with the deepest Affliction. It is to you, Gentlemen, in this anxious Moment, that your Country looks up for Counsel; and on you it, in a great Measure, depends to rescue Her from Evils of the most ruinous Tendency. Exert yourselves then with the Firmness becoming your important Office. If your Constituents are discontented and apprehensive, examine their Complaints with Calmness and Deliberation, and determine upon them with an honest Impartiality. If you find them to be well grounded, pursue the Means of Redress which the Constitution has pointed out: Supplicate the Throne, and our most gracious Sovereign will hear and relieve you with paternal Tenderness. But I entreat you, as you regard the Happiness of your Country, to discountenance every Measure which may increase our Distress: And anxious for the Re-establishment of Harmony, with that Power with which you are connected by the Ties of Blood, Religion, Interest and Duty, prove yourselves, by your Conduct on this Occasion, earnestly sollicitous for a cordial and permanent Reconciliation.

Gentlemen of the Council and General Assembly,

In the Absence of our most worthy Governor in Chief, no less distinguished by his extensive Abilities than his Zeal for the Honour of the Crown and his Affection for the People of this Province, and at so critical a Conjuncture, it gives Me great Consolation that I can repose the utmost Confidence in your Wisdom, your Attachment to the Constitution, and your Regard for the Interest of the British Empire. And you may be assured that my most strenuous Efforts shall be exerted to co-operate with you, in restoring that Tranquility which must be the ardent Desire of every wise, virtuous and loyal Subject.

CADWALLADER COLDEN.

FACSIMILE OF THE SPEECH OF CADWALLADER COLDEN, JANUARY 13, 1775

army has been kept in these Colonies. From respect for the mother country, the innovation was not only tolerated, but the provincial Legislatures generally made provision for supplying the troops.

THE Assembly of the province of New-York, having passed an Act of this kind, but differing in some articles, from the directions of the Act of Parliament made in the *fifth* year of this reign, the House of Representatives in that Colony was prohibited by a Statute made in the session last mentioned, from making any bill, order, resolution or vote, except for adjourning or chusing a Speaker, until provision should be made by the said assembly for furnishing the troops within that province, not only with all such necessaries as were required by the Statute *which they were charged with disobeying*, but also with those required by two other *subsequent* Statutes, which were declared to be in force until the twenty-fourth day of March, 1769.

THESE Statutes of the year 1767 revived the apprehensions and discontents, that had entirely subsided on the repeal of the *Stamp-Act;* and amidst the just fears and jealousies thereby occasioned a Statute was made in the next year (1768) to establish Courts of *Admiralty* and *Vice Admiralty* on a new model, expressly for the end of more *effectually* recovering of the *penalties* and *forfeitures* inflicted by Acts of Parliament, framed for the purpose of *raising a revenue* in America, &c.

THE immediate tendency of these statutes is, to subvert the right of having a share in legislation, by rendering Assemblies useless; the right of property, by taking the money of the Colonists without their consent; the right of trial by jury, by substituting in their place trials in Admiralty and Vice-Admiralty Courts, where single Judges preside, holding their Commissions during pleasure; and unduly to influence the Courts of common law, by rendering the Judges thereof totally dependent on the Crown for their salaries.

THESE statutes, not to mention many others exceedingly exceptionable, compared one with another, will be found, not only to form a regular system, in which every part has great force, but also a pertinacious adherence to that system, for subjugating these Colonies, that are not, and from local circumstances, cannot, be represented in the House of Commons, to the uncontroulable and unlimited power of Parliament, in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

THIS conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has been by any behavior of these Colonies. From their first settlement, their bitterest enemies never fixed on any of them any charge of disloyalty to their Sovereign or disaffection to their Mother-Country. In the wars she has carried on, they have exerted themselves whenever required, in giving her assistance; and have rendered her services, which she had publickly acknowledged to be extremely important. Their fidelity, duty and usefulness during the last war, were frequently and affectionately confessed by his late Majesty and the present King.

THE reproaches of those, who are most unfriendly to the freedom of America, are principally levelled against the province of Massachusetts-Bay; but with what little reason, will appear by the following declarations of a person, the truth of whose evidence, in their favour, will not be questioned . . . Governor Bernard thus addressed the two Houses of Assembly . . . in his speech on the 24th of April, 1762 . . . "The unanimity and despatch, with which you have complied with the *requisitions of his Majesty*, require my particular acknowledgment. And it gives me additional pleasure to observe, that you have therein acted under no other influence than a due sense of your duty, both as mem-

bers of a general empire, and as the body of a particular province."

In another speech on the 27th of May, in the same year, he says, . . . "Whatever shall be the event of the war, it must be no small satisfaction to us, that this province hath contributed its full share to the support of it. *Every thing that hath been required of it hath been complied with;* and the execution of the powers committed to me, for raising the provincial troops hath been as full and complete as the grant of them. Never before were regiments so easily levied, so well composed, and so early in the field as they have been this year; the common people seemed to be animated with the spirit of the general Court, and to vie with them in their readiness to serve the King."

Such was the conduct of the People of the Massachusetts-Bay, during the last war. As to their behavior before that period, it ought not to have been forgot in Great Britain, that not only on every occasion they had constantly and chearfully complied with the frequent royal requisitions—but that chiefly by their vigorous efforts, Nova-Scotia was subdued in 1710, and Louisbourg in 1745.

Foreign quarrels being ended, and the domestic disturbances, that quickly succeeded on account of the stamp-act, being quieted by its repeal, the Assembly of Massachusetts-Bay transmitted an humble address of thanks to the King and divers Noblemen, and soon after passed a bill for granting compensation to the sufferers in the disorder occasioned by that act.

These circumstances and the following extracts from Governor Bernard's Letters in 1768, to the Earl of Shelburne, Secretary of State, clearly shew, with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discord, and with what respectful deference they endeavored to escape other subjects of future controversy. "The House (says the

Governor) from the time of opening the session to this day, has shewn a disposition to *avoid* all dispute with me; every thing having passed with as much good humour as I could desire, except only their continuing to act in *addressing* the King, *remonstrating* to the Secretary of State, and *employing* a separate agent. It is the *importance of this innovation*, without any wilfulness of my own which induces me to make this remonstrance at a time when I have a fair prospect of having, *in all other business*, nothing but good to say of the proceedings of the House." *

"THEY have acted *in all things*, even in their remonstrance, *with temper and moderation;* they have *avoided* some subjects of dispute, and have laid a foundation for *removing* some causes of former altercation." §

"I shall make such a prudent and proper use of this Letter, as, I hope, will perfectly restore the peace and tranquillity of this province, for which purpose *considerable steps have been made by the House of Representatives.*" ‖

THE vindication of the province of Massachusetts Bay contained in these Letters, will have greater force if it be considered that they were written several months after the fresh alarm given to the colonies by the statutes passed in the preceding year.

IN this place it seems proper to take notice of the insinuation in one of these statutes, that the interference of Parliament was *necessary* to provide for "defraying the charge of the *administration of justice*, the support of *civil government*, and defending the King's dominions in America."

As to the two first articles of expence, every colony had made such provision, as by their respective Assemblies, the best judges on such occasions, was thought expedient, and suitable to their several circumstances.

* January 21, 1768. § January 30, 1768. ‖ February 2, 1768.

Respecting the last, it is well known to all men the least acquainted with American affairs, that the colonies were established, and have generally defended themselves, without the least assistance from Great-Britain; and, that at the time of her *taxing* them by the statutes before mentioned, most of them were labouring under very heavy debts contracted in the last war. So far were they from sparing their money, when their Sovereign, constitutionally asked their aids, that during the course of that war, Parliament repeatedly made them compensations for the expences of those strenuous efforts, which, consulting their zeal rather than their strength, they had chearfully incurred.

SEVERE as the Acts of *Parliament* before mentioned are, yet the conduct of *Administration* has been equally injurious, and irritating to this devoted country.

UNDER pretence of governing them, so many new institutions, uniformly rigid and dangerous, have been introduced, as could only be expected from incensed masters, for collecting the tribute or rather the plunder of conquered provinces.

BY an order of the King, the authority of the Commander in chief, and under him of the Brigadiers general, *in time of peace*, is rendered *supreme* in all the civil governments in *America;* and thus an uncontroulable military power is vested in officers not known to the constitution of these colonies.

A LARGE body of troops and a considerable armament of ships of war have been sent to assist in taking their money without their consent.

EXPENSIVE and oppressive offices have been multiplied, and the acts of corruption industriously practised to divide and destroy.

THE Judges of the Admiralty and Vice-Admiralty Courts are impowered to receive their salaries and fees from the effects to be condemned by themselves.

THE Commissioners of the Customs are empowered to

break open and enter houses without the authority of any civil magistrate founded on legal information.

JUDGES of Courts of Common Law have been made entirely dependent on the Crown for their commissions and salaries.

A COURT has been established at Rhode-Island, for the purpose of taking Colonists to England to be tried.

HUMBLE and reasonable petitions from the representatives of the people have been frequently treated with contempt; and Assemblies have been repeatedly and arbitrarily dissolved.

FROM some few instances it will sufficiently appear, on what pretences of justice those dissolutions have been founded.

THE tranquillity of the colonies having been again disturbed, as has been mentioned, by the statutes of the year 1767, the Earl of Hillsborough, Secretary of State, in a letter to Governor Bernard, dated April 22, 1768, censures the "*presumption*" of the House of Representatives for "resolving upon a measure of so inflammatory a nature *as that of writing to the other colonies, on the subject of their intended representations against some late Acts of Parliament,*" then declares that, "his majesty considers this step as evidently tending to create unwarrantable combinations to excite an unjustifiable opposition to the constitutional authority of Parliament."—And afterwards adds, "It is *the King's pleasure*, that as soon as the General Court is again assembled, at the time prescribed by the Charter, you should require of the House of Representatives, in his Majesty's name, to *rescind* the resolution which gave birth to the circular letter from the Speaker, and to declare their disapprobation of, and dissent to that rash and hasty proceeding."

"IF the new Assembly should refuse to comply with his Majesty's reasonable expectation, it is the King's pleasure, that you should immediately dissolve them."

THE EARL OF HILLSBOROUGH
(Secretary of State for the Colonies, 1768–72)

THIS letter being laid before the House, and the resolution not being rescinded according to order, the Assembly was dissolved. A letter of a similar nature was sent to other Governors to procure resolutions approving the conduct of the Representatives of Massachusetts-Bay, to be *rescinded* also; and the Houses of Representatives in other colonies refusing to comply, Assemblies were dissolved.

THESE mandates spoke a language to which the ears of English subjects had for several generations been strangers. The nature of assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the requisitions made, left to the Assemblies only the election between dictated submission and threatened punishment: A punishment too, founded on no other act, than such as is deemed innocent even in slaves—of agreeing in *petitions* for redress of grievances, that equally affect all.

THE hostile and unjustifiable invasion of the town of Boston soon followed these events in the same year; though that town, the province in which it is situated and all the colonies, from abhorrence of a contest with their parent state, permitted the execution even of those statutes, against which they were so unanimously complaining, remonstrating, and supplicating.

ADMINISTRATION, determined to subdue a spirit of freedom, which English Ministers should have *rejoiced* to cherish, entered into a monopolizing combination with the East-India company, to send to this continent vast quantities of Tea, an article on which a duty was laid by a statute, that, in a particular manner, attacked the liberties of America, and which therefore the inhabitants of these Colonies had resolved not to import. The cargo sent to South-Carolina was stored, and not allowed to be sold. Those sent to Philadelphia and New-York were not permitted to be landed. That sent

to Boston was destroyed, because Governor Hutchinson would not suffer it to be returned.

On the intelligence of these transactions arriving in Great-Britain, the public spirited town last mentioned was singled out for destruction, and it was determined, the province it belongs to should partake of its fate. In the last session of parliament therefore were passed the acts for shutting up the port of Boston, indemnifying the murderers of the inhabitants of Massachusetts-Bay, and changing their chartered constitution of government. To inforce these acts, that province is again invaded by a fleet and army.

To mention these outrageous proceedings, is sufficient to explain them. For tho' it is pretended that the province of Massachusetts-Bay has been particularly disrespectful to Great-Britain, yet in truth the behavior of the people, in other colonies, has been an equal "opposition to the power assumed by parliament." No step however has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the province of Massachusetts-Bay will be irritated into some violent action, that may displease the rest of the continent, or that may induce the people of Great-Britain to approve the meditated vengeance of an imprudent and exasperated ministry.

If the unexampled pacific temper of that province shall disappoint this part of the plan, it is hoped the other colonies will not be so far intimidated as to desert their brethren, suffering in a common cause, and that thus disunited all may be subdued.

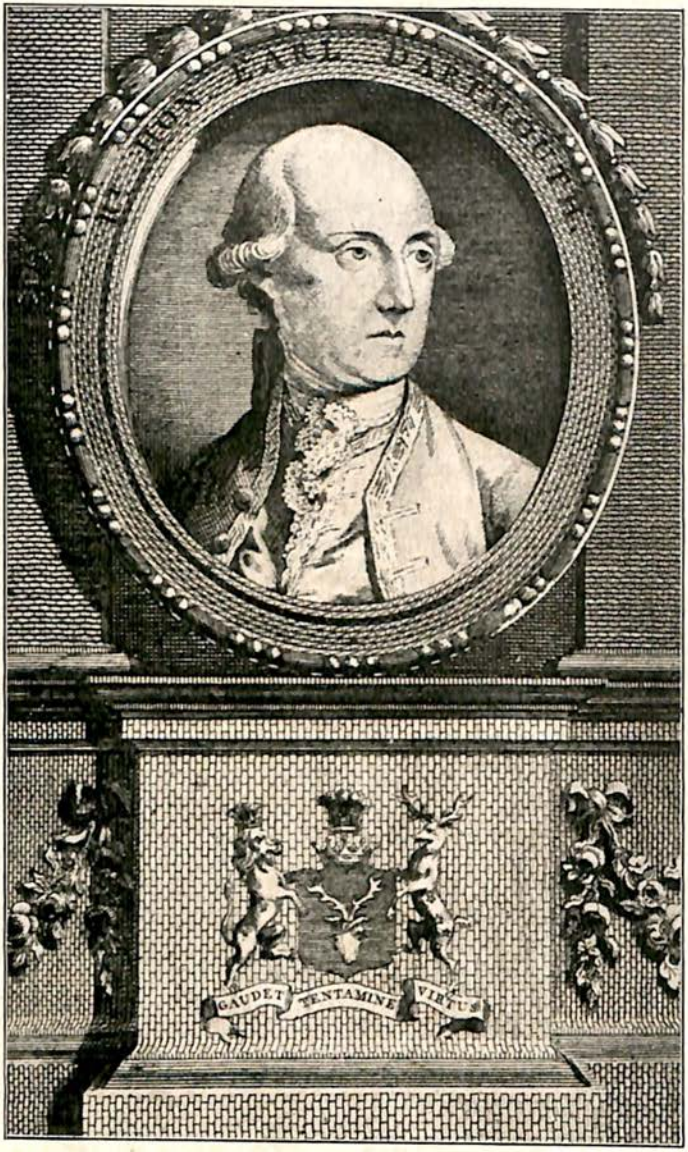
To promote these designs, another measure has been pursued. In the session of parliament last mentioned, an act was passed, for changing the government of Quebec, by which act the Roman Catholic religion, instead of being tolerated, as stipulated by the treaty of peace, is established; and the people there are deprived of the right to an assembly, trials by jury, and

the English laws, in civil cases, are abolished, and instead thereof, the French laws are established, in direct violation of his Majesty's promise by his royal proclamation, under the faith of which many English subjects settled in that province: And the limits of that province are extended so as to comprehend those vast regions that lie adjoining to the northerly and westerly boundaries of these colonies.

THE authors of this arbitrary arrangement flatter themselves, that the inhabitants, deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such, as differ from them in modes of government and faith.

FROM the detail of facts herein before recited, as well as from authentic intelligence received, it is clear, beyond a doubt, that a resolution is formed and now carrying into execution, to extinguish the freedom of these colonies, by subjecting them to a despotic government.

AT this unhappy period, we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence, but have endeavored to discharge it with integrity. Though the state of these colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place, it appeared to us a conduct becoming the character these colonies have ever sustained, to perform, even in the midst of the unnatural distresses and immediate dangers which surround them, every act of loyalty; and therefore, we were induced to offer once more to his Majesty the petitions of his faithful and oppressed subjects in America. Secondly, regarding with the tender affection, which we knew to be so universal among our countrymen, the people of the kingdom, from which we derive our origin, we could not forbear to regulate our



THE EARL OF DARTMOUTH

(He succeeded the Earl of Hillsborough as Secretary of State for the Colonies in August, 1772)

steps by an expectation of receiving full conviction, that the colonists are equally dear to them. Between these provinces and that body subsists the social bond, which we ardently wish *may never* be dissolved, and which *cannot* be dissolved, until their minds shall become *indisputably hostile*, or their *inattention* shall permit those who are thus hostile to persist in prosecuting with the powers of the realm the destructive measures already operating against the colonists; and in either case, shall reduce the latter to such a situation, that they shall be compelled to renounce every regard, but that of self-preservation. Notwithstanding the vehemence with which affairs have been impelled, they have not yet reached that fatal point. We do not incline to accelerate their motion, already alarmingly rapid; we have chosen a method of opposition, that does not preclude a hearty reconciliation with our fellow citizens on the other side of the Atlantic. We deeply deplore the urgent necessity that presses us to an immediate interruption of commerce, that may prove injurious to them. We trust they will acquit us of any unkind intentions towards them, by reflections, that we subject ourselves to similar inconveniences; that we are driven by the hands of violence into unexperienced and unexpected public convulsions, and that we are contending for freedom, so often contended for by our ancestors.

THE people of England will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence; and cannot, upon a review of past events, be persuaded, that *they*, the defenders of true religion, and the assertors of the rights of mankind, will take part against their affectionate Protestant brethren in the colonies, in favour of *our open* and *their own secret* enemies, whose intrigues, for several years past, have been wholly exercised in sapping the foundations of civil and religious liberty.

ANOTHER reason, that engaged us to prefer the commercial mode of opposition, arose from an assurance, that the mode will prove efficacious, if it be persisted in with fidelity and virtue; and that your conduct will be influenced by these laudable principles, cannot be questioned. Your own salvation, and that of your posterity, now depends upon yourselves. You have already shewn that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of trade, you will weigh in the opposite balance, the endless miseries you and your descendants must endure from an established arbitrary power. You will not forget the honour of your country, that must from your behaviour take its title in the estimation of the world, to glory, or to shame; and you will, with the deepest attention, reflect, that if the peaceable mode of opposition recommended by us be broken and rendered ineffectual, as your cruel and haughty ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to chuse either a more dangerous contest, or a final ruinous, and infamous submission.

MOTIVES thus cogent, arising from the emergency of your unhappy condition, must excite your utmost diligence and zeal, to give all possible strength and energy to the pacific measures calculated for your relief: But we think ourselves bound in duty to observe to you, that the schemes agitated against these colonies have been so conducted, as to render it prudent, that you should extend your views to mournful events, and be in all respects prepared for every contingency. Above all things we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves, and implore the favour of Almighty GOD: and we fervently beseech his divine goodness, to take you into his gracious protection.

Adopted October 21, 1774.

Burke's Conciliating Proposals, 1775

On March 22, 1775, Edmund Burke made a memorable speech in the British Parliament, pleading for conciliation with the American colonies, based on the following proposals which he had previously introduced (text of extract from first edition of Burke's Speech, London, Dodsley, 1775). (See page 45.)

"That the Colonies and Plantations of Great-Britain in North-America, consisting of Fourteen separate Governments, and containing two millions and upwards of Free Inhabitants, have not had the liberty and privilege of electing and sending any Knights and Burgesses, or others, to represent them in the High Court of Parliament."

"That the said Colonies and Plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament; though the said Colonies and Plantations have not their Knights and Burgesses, in the said high court of Parliament, of their own election, to represent the condition of their country; *by lack whereof, they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said Court, in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting within the same.*"

"That, from the distance of the said Colonies, and from other circumstances, no method hath hitherto been

devised for procuring a Representation in Parliament for the said Colonies."

"That each of the said Colonies hath within itself a Body, chosen, in part or in the whole, by the Freemen, Freeholders, or other Free Inhabitants thereof, commonly called the General Assembly, or General Court;

EDMUND BURKE

(From an old print representing him as "The British Cicero")

with powers legally to raise, levy, and assess, according to the several usage of such Colonies, duties and taxes towards defraying all sorts of public services." *

"That the said General Assemblies, General Courts, or other bodies, legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's Principal Secretaries of State; and that their right to grant the same, and their chearfulness and sufficiency in the said grants, have been at sundry times acknowledged by Parliament."

"That it hath been found by experience, that the manner of granting the said supplies and aids, by the said General Assemblies, hath been more agreeable to the inhabitants of the said Colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids and subsidies in Parliament to be raised and paid in the said Colonies."

"That it may be proper to repeal an act made in the 7th year of the reign of his present Majesty, intituled, An Act for granting certain duties in the British Colonies and Plantations in America; for allowing a draw-back of the duties of Customs, upon the exportation from this kingdom, of coffee and cocoa-nuts, of the produce of the said Colonies or Plantations; for discontinuing the drawbacks payable on china earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said Colonies and Plantations."

"That it may be proper to repeal an Act, made in the 14th year of the reign of his present Majesty, intituled,

* The first four motions and the last had the previous question put to them. The others were negatived. The words in italics were, by an amendment that was carried, left out of the motion; which will appear in the Journals, though it is not the practice to insert such amendments in the votes.

An Act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and mer-

THE EARL OF BUTE
(The Counsellor and Guide of George III.)

chandise, at the Town, and within the Harbour, of Boston, in the province of Massachusetts Bay, in North America."

"That it may be proper to repeal an Act made in the 14th year of the reign of his present Majesty, in-

tituled, An Act for the impartial administration of justice, in cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England."

"That it is proper to repeal an Act, made in the 14th year of the reign of his present Majesty, intituled, An Act for the better regulating the government of the province of Massachusetts Bay in New England."

"That it is proper to explain and amend an Act made in the 35th year of the reign of King Henry VIII, intituled, An Act for the trial of treasons committed out of the King's dominions."

"That, from the time when the General Assembly, or General Court, of any Colony or Plantation, in North America, shall have appointed, by act of Assembly duly confirmed, a settled salary to the offices of the Chief Justice and Judges of the superior courts, it may be proper that the said Chief Justice and other Judges of the superior courts of such colony shall hold his and their office and offices during their good behaviour; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in Council, upon a hearing on complaint from the General Assembly, or on a complaint from the Governor, or Council, or the house of representatives, severally, of the Colony in which the said Chief Justice and other Judges have exercised the said office."

"That it may be proper to regulate the Courts of Admiralty, or Vice-Admiralty, authorized by the 15th chapter of the 4th of George III, in such a manner as to make the same more commodious to those who sue, or are sued, in the said courts; *and to provide for the decent maintenance of the Judges of the same.*"

The concluding words of this great speech were:

"We ought to elevate our minds to the greatness of that trust to which the order of Providence has called

us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive and

EDMUND BURKE

(From an engraving by W. Ridley. After a miniature by W. H. Brown)

the only honourable conquests; not by destroying, but by promoting, the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges

have made it all that it is; English privileges alone will make it all it can be. In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) [and may it be lucky and fortunate] lay the first stone of the Temple of Peace; and I move you,

"*That the Colonies and Plantations of Great Britain in North America, consisting of Fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty, and privilege of electing and sending any Knights and Burgesses, or others, to represent them in the high Court of Parliament.*"

"Liberty or Death"

Patrick Henry's Oration in the Richmond Convention, March 23, 1775

On March 23, 1775, Patrick Henry offered resolutions in the Richmond convention to organize the militia and put the colony in a state of defense. The resolutions met with great opposition, and in supporting them he made the following address (text reprinted from "Harper's Encyclopædia of United States History"). (See page 49.)

Mr. President,—No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen if, entertaining, as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offense, I should consider myself as guilty of treason tow-

PATRICK HENRY ADDRESSING THE VIRGINIA ASSEMBLY
(From the painting by A. Chappel)

ards my country, and of an act of disloyalty towards the majesty of Heaven, which I revere above all earthly kings.

Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those who, having eyes, see not, and having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth; to know the worst and to provide for it.

I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years to justify those hopes with which gentlemen have been pleased to solace themselves and the house? Is it that insidious smile with which our petition has been lately received? Trust it not, sir. It will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of

navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten

HANOVER COURT-HOUSE

(It was building that Patrick Henry made his great plea in the celebrated "Parsons' Cause" in 1763)

years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has all been in vain. Shall we resort to entreaty and humble supplication? What terms shall we find which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the storm which is now coming on.

We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free; if we mean to preserve inviolate those inestimable privileges for which we have been so long contending: if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained, we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir,

is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come.

It is vain, sir, to extenuate the matter. Gentlemen may cry, Peace, peace—but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

Report of the Continental Congress on Lord North's Conciliatory Resolution, 1775

In February, 1775, Lord North received information from Benjamin Franklin which greatly disheartened him, and, armed with the King's consent in writing, he proposed, in the House of Commons, a plan for conciliation. It was on the general plan that, if the colonies would tax themselves to the satisfaction of the ministry, Parliament would impose on them no duties except for the regulation of commerce. The report of the Congress, July 31, 1775, included Lord North's resolution, and then expressed the following opinion as embodied in the "Journals of the American Congress: from 1774 to 1788." In four volumes. Washington, 1823. Vol. I., pp. 132–134. (See page 55.)

That the colonies of America are entitled to the sole and exclusive privilege of giving and granting their own money: that this involves a right of deliberating whether they will make any gift for what purposes it shall be made, and what shall be its amount; and that it is a high breach of this privilege for any body of men, extraneous to their constitutions, to prescribe the purposes for which money shall be levied on them, to take to themselves the authority of judging of their conditions, circumstances and situations, and of determining the amount of the contribution to be levied.

That as the colonies possess a right of appropriating their gifts, so are they entitled at all times to enquire

NEW-YORK, July 25, 1774.

Extract of a Letter from LONDON, *by Way of* Philadelphia, *to a Gentleman in this City.*

"THE unhappy Diſputes which at preſent ſubſiſt between Great Britain and America, fill our Minds with melancholy Reflections, as the Miniſtry here have adopted very ſevere Meaſures with you, and are determined, at all Events, to carry their Point, and ſubdue all the Colonies, either by Force of Arms, or Bribery and Corruption. We are credibly informed here, that General Gage told Lord North, that he knew many Perſons of Conſequence in New York, who could eaſily be brought over to ſell their Privileges for a Penſion from the Crown,—But we hope, if there are any ſuch among you, they may be carefully watched, and prevented from doing Injury to the Cauſe of Freedom.

"We are informed here, that it is the Purpoſe of Lord North, to offer one of your Printers, Five Hundred Pounds, as an Inducement to undertake and promote Miniſterial Meaſures."

The Truth of this Extract, can be proved if deſired.

The foregoing Intelligence with Reſpect to the Printer, confirms an Account ſimilar thereto lately publiſhed in the Boſton Papers.——The Friends of Liberty, are therefore deſired vigilantly to obſerve who are thoſe Perſons ſpoken of in the foregoing Extract, and what Printer appears to promote Miniſterial Meaſures, and endeavours to ſuppreſs Exertions in Favour of the Liberties of this Country.

EXTRACT OF A LETTER FROM LONDON TO A GENTLEMAN IN NEW YORK

into their application, to see that they be not wasted among the venal and corrupt for the purpose of undermining the civil rights of the givers, nor yet be diverted to the support of standing armies, inconsistent with their freedom and subversive of their quiet. To propose, therefore, as this resolution does, that the monies given by the colonies shall be subject to the disposal of parliament alone, is to propose that they shall relinquish this right of enquiry, and put it in the power of others to render their gifts ruinous, in proportion as they are liberal.

That this privilege of giving or of withholding our monies, is an important barrier against the undue exertion of prerogative, which, if left altogether without controul, may be exercised to our great oppression; and all history shows how efficacious is its intercessions for redress of grievances and re-establishment of rights, and how improvident it would be to part with so powerful a mediator.

We are of opinion that the proposition contained in this resolution is unreasonable and insidious: Unreasonable, because, if we declare we accede to it, we declare, without reservation, we will purchase the favour of parliament, not knowing at the same time at what price they will please to estimate their favour; it is insidious, because, individual colonies, having bid and bidden again, till they find the avidity of the seller too great for all their powers to satisfy; are then to return into opposition, divided from their sister colonies whom the minister will have previously detached by a grant of easier terms, or by an artful procrastination of a definitive answer.

That the suspension of the exercise of their pretended power of taxation being expressly made commensurate with the continuance of our gifts, these must be perpetual to make that so. Whereas no experience has shewn that a gift of perpetual revenue secures a perpetual return of

duty or of kind disposition. On the contrary, the parliament itself, wisely attentive to this observation, are in the established practice of granting their supplies from year to year only.

Desirous and determined, as we are, to consider, in the most dispassionate view, every seeming advance towards a reconciliation made by the British parliament, let our brethren of Britain reflect, what would have been the sacrifice to men of free spirits, had even fair terms been proffered, as these insidious proposals were with circumstances of insult and defiance. A proposition to give our money, accompanied with large fleets and armies, seems addressed to our fears rather than to our freedom. With what patience would Britons have received articles of treaty from any power on earth when borne on the point of the bayonet by military plenipotentiaries?

JAMES DUANE

(In 1775 Duane moved in Congress to open negotiations in order to accommodate the disputes between Great Britain and America)

We think the attempt unnecessary to raise upon us by force or by threats our proportional contributions to the common defence, when all know, and themselves

acknowledge, we have fully contributed, whenever called upon to do so in the character of freemen.

We are of opinion it is not just that the colonies should be required to oblige themselves to other contributions, while Great-Britain possesses a monopoly of their trade. This of itself lays them under heavy contribution. To demand, therefore, additional aids in the form of a tax, is to demand the double of their equal proportion: if we are to contribute equally with the other parts of the empire, let us equally with them enjoy free commerce with the whole world. But while the restrictions on our trade shut to us the resources of wealth, is it just we should bear all other burthens equally with those to whom every resource is open?

We conceive that the British parliament has no right to intermeddle with our provisions for the support of civil government, or administration of justice. The provisions we have made, are such as please ourselves, and are agreeable to our own circumstances: They answer the substantial purposes of government and of justice, and other purposes than these should not be answered. We do not mean that our people shall be burthened with oppressive taxes, to provide sinecures for the idle or the wicked, under colour of providing for a civil list. While parliament pursue their plan of civil government within their own jurisdiction, we also hope to pursue ours without molestation.

We are of opinion the proposition is altogether unsatisfactory, because it imports only a suspension of the mode, not a renunciation of the pretended right to tax us: because, too, it does not propose to repeal the several acts of parliament passed for the purposes of restraining trade, and altering the form of government of one of our colonies: extending the boundaries and changing the government of Quebec; enlarging the jurisdiction of the courts of admiralty and vice-admiralty; taking from us the rights of trial by a jury of the vicinage, in

WILLIAM JACKSON,

an *IMPORTER*; at the

BRAZEN HEAD,

North Side of the TOWN-HOUSE,

and *Oppoſite the Town-Pump, in*

Corn-hill, BOSTON.

It is deſired that the SONS and DAUGHTERS of *LIBERTY*, would not buy any one thing of him, for in ſo doing they will bring Diſgrace upon *themſelves*, and their *Poſterity*, for *ever* and *ever*, AMEN.

BOYCOTTING POSTER

cases affecting both life and property; transporting us into other countries to be tried for criminal offences; exempting, by mock-trial, the murderers of colonists from punishment; and quartering soldiers on us in times of profound peace. Nor do they renounce the power of suspending our own legislatures, and for [*of*] legislating for us themselves in all cases whatsoever. On the contrary, to shew they mean to [*no*] discontinuance of injury, they pass acts, at the very time of holding out this proposition, for restraining the commerce and fisheries of the provinces of New-England, and for interdicting the trade of other colonies with all foreign nations, and with each other. This proves, unequivocally, they mean not to relinquish the exercise of indiscriminate legislation over us.

Upon the whole, this proposition seems to have been held up to the world, to deceive it into a belief that there was nothing in dispute between us but the mode of levying taxes; and that the parliament having now been so good as to give up this, the colonies are unreasonable if not perfectly satisfied: Whereas, in truth, our adversaries still claim a right of demanding *ad libitum*, and of taxing us themselves to the full amount of their demand, if we do comply with it. This leaves us without any thing we can call property. But, what is of more importance, and what in this proposal they keep out of sight, as if no such point was now in contest between us, they claim a right to alter our charters and establish laws, and leave us without any security for our lives and liberties. The proposition seems also to have been calculated more particularly to lull into fatal security, our well-affected fellow-subjects on the other side the water, till time should be given for the operation of those arms, which a British minister pronounced would instantaneously reduce the "cowardly" sons of America to unreserved submission. But, when the world reflects, how inadequate to justice are these vaunted terms;

when it attends to the rapid and bold succession of injuries, which, during the course of eleven years, have been aimed at these colonies; when it reviews the pacific and respectful expostulations, which, during that whole time, were the sole arms we opposed to them; when it observes that our complaints were either not heard at all, or were answered with new and accumulated injuries; when it recollects that the minister himself, on an early occasion, declared, "that he would never treat with America, till he had brought her to his feet," and that an avowed partisan of ministry has more lately denounced against us the dreadful sentence, "*delenda est Carthago;*" that this was done in presence of a British senate, and being unreproved by them, must be taken to be their own sentiment, (especially as the purpose has already in part been carried into execution, by their treatment of Boston and burning of Charlestown;) when it considers the great armaments with which they have invaded us, and the circumstances of cruelty with which these have commenced and prosecuted hostilities; when these things, we say, are laid together and attentively considered, can the world be deceived into an opinion that we are unreasonable, or can it hesitate to believe with us, that nothing but our own exertions may defeat the ministerial sentence of death or abject submission.

Why the Colonists Took Up Arms, 1775

A declaration of the causes and necessity of taking up arms, adopted by the Second Continental Congress, at Philadelphia, on July 6, 1775. Text from "Journals of Congress from 1774 to 1778," Vol. I., edition of 1823, pp. 100–103. (See page 49.)

If it was possible for men, who exercise their reason to believe, that the divine Author of our existence intended a part of the human race to hold an absolute property in, and an unbounded power over others, marked out by his infinite goodness and wisdom, as the objects of a legal domination never rightfully resistible, however severe and oppressive, the inhabitants of these colonies might at least require from the parliament of Great-Britain some evidence, that this dreadful authority over them, has been granted to that body. But a reverence for our great Creator, principles of humanity, and the dictates of common sense, must convince all those who reflect upon the subject, that government was instituted to promote the welfare of mankind, and ought to be administered for the attainment of that end. The legislature of Great-Britain, however, stimulated by an inordinate passion for a power not only unjustifiable, but which they know to be peculiarly reprobated by the very constitution of that kingdom, and desperate of success in any mode of contest, where regard should be had to truth, law, or right, have at length, deserting those, attempted to effect their cruel and impolitic purpose of enslaving these colonies by violence, and

GEORGE III.
(From the painting by Gainsborough)

have thereby rendered it necessary for us to close with their last appeal from reason to arms. Yet, however blinded that assembly may be, by their intemperate rage for unlimited domination, so to slight justice and the opinion of mankind, we esteem ourselves bound by obligations of respect to the rest of the world, to make known the justice of our cause.

Our forefathers, inhabitants of the island of Great-Britain, left their native land, to seek on these shores a residence for civil and religious freedom. At the expense of their blood, at the hazard of their fortunes, without the least charge to the country from which they removed, by unceasing labour, and an unconquerable spirit, they effected settlements in the distant and inhospitable wilds of America, then filled with numerous and warlike nations of barbarians.—Societies or governments, vested with perfect legislatures, were formed under charters from the crown, and an harmonious intercourse was established between the colonies and the kingdom from which they derived their origin. The mutual benefits of this union became in a short time so extraordinary, as to excite astonishment. It is universally confessed, that the amazing increase of the wealth, strength, and navigation of the realm, arose from this source; and the minister, who so wisely and successfully directed the measures of Great-Britain in the late war, publicly declared, that these colonies enabled her to triumph over her enemies. Towards the conclusion of that war, it pleased our sovereign to make a change in his counsels. From that fatal moment, the affairs of the British empire began to fall into confusion, and gradually sliding from the summit of glorious prosperity, to which they had been advanced by the virtues and abilities of one man, are at length distracted by the convulsions, that now shake it to its deepest foundations.—The new ministry finding the brave foes of Britain, though frequently defeated, yet still contending, took

QUEEN CHARLOTTE, WIFE OF GEORGE III.
(From an engraving by Henry Meyer)

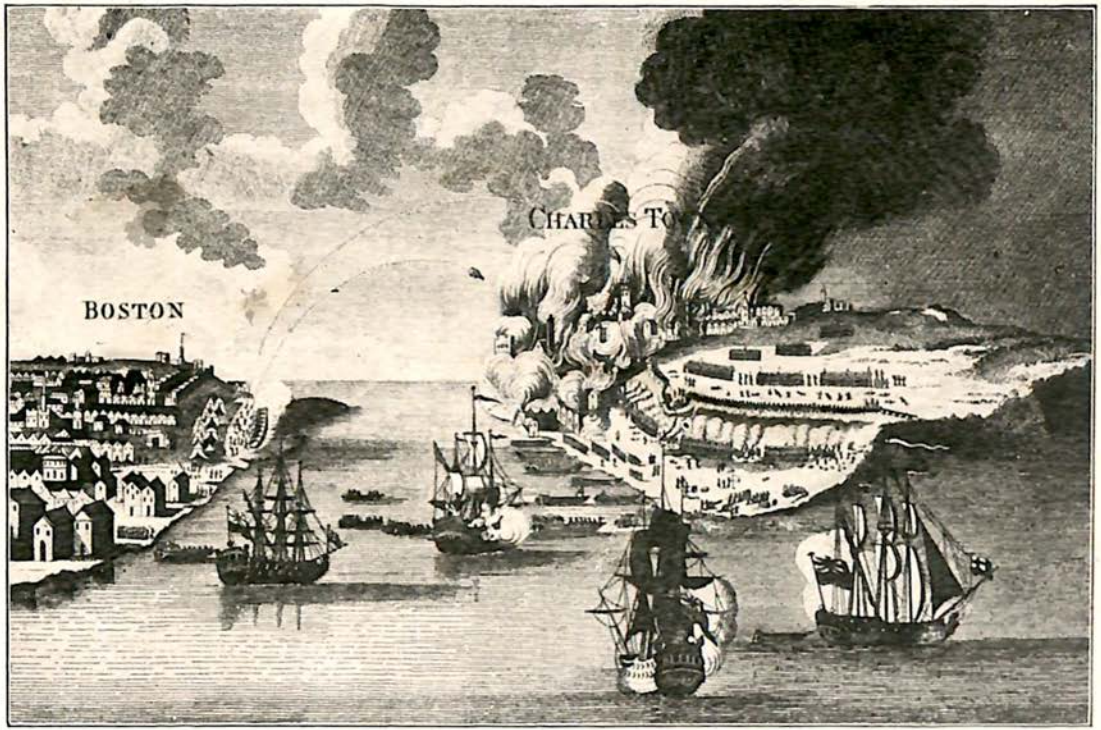
up the unfortunate idea of granting them a hasty peace, and of then subduing her faithful friends.

These devoted colonies were judged to be in such a state, as to present victories without bloodshed, and all the easy emoluments of statuteable plunder. The uninterrupted tenor of their peaceable and respectful behaviour from the beginning of colonization, their dutiful, zealous, and useful services during the war, though so recently and amply acknowledged in the most honourable manner by his majesty, by the late king, and by parliament, could not save them from the meditated innovations. Parliament was influenced to adopt the pernicious project, and assuming a new power over them, have in the course of eleven years, given such decisive specimens of the spirit and consequences attending this power, as to leave no doubt concerning the effects of acquiescence under it. They have undertaken to give and grant our money without our consent, though we have ever exercised an exclusive right to dispose of our own property; statutes have been passed for extending the jurisdiction of courts of admiralty and vice-admiralty beyond their ancient limits; for depriving us of the accustomed and inestimable privilege of trial by jury, in cases affecting both life and property; for suspending the legislature of one of the colonies; for interdicting all commerce to the capital of another; and for altering fundamentally the form of government established by charter, and secured by act of its own legislature solemnly confirmed by the crown; for exempting the "murderers" of colonists from legal trial, and in effect, from punishment; for erecting in a neighbouring province, acquired by the joint arms of Great-Britain and America, a despotism dangerous to our very existence; and for quartering soldiers upon the colonists in time of profound peace. It has also been resolved in parliament, that colonists charged with committing certain offences, shall be transported to England to be tried.

But why should we enumerate our injuries in detail? By one statute it is declared, that parliament can "of right make laws to bind us in all cases whatsoever." What is to defend us against so enormous, so unlimited a power? Not a single man of those who assume it, is chosen by us; or is subject to our controul or influence; but, on the contrary, they are all of them exempt from the operation of such laws, and an American revenue, if not diverted from the ostensible purposes for which it is raised, would actually lighten their own burdens in proportion, as they increase ours. We saw the misery to which such despotism would reduce us. We for ten years incessantly and ineffectually besieged the throne as supplicants; we reasoned, we remonstrated with parliament, in the most mild and decent language.

Administration, sensible that we should regard these oppressive measure as freemen ought to do, sent over fleets and armies to enforce them. The indignation of the Americans was roused, it is true; but it was the indignation of a virtuous, loyal, and affectionate people. A Congress of delegates from the United Colonies was assembled at Philadelphia, on the fifth day of last September. We resolved again to offer an humble and dutiful petition to the king, and also addressed our fellow-subjects of Great-Britain. We have pursued every temperate, every respectful measure: we have even proceeded to break off our commercial intercourse with our fellow-subjects, as the last peaceable admonition, that our attachment to no nation upon earth should supplant our attachment to liberty. This, we flattered ourselves, was the ultimate step of the controversy: but subsequent events have shewn, how vain was this hope of finding moderation in our enemies.

Several threatening expressions against the colonies were inserted in his majesty's speech; our petition, tho' we were told it was a decent one, and that his majesty had been pleased to receive it graciously, and to promise



VIEW OF THE ATTACK ON BUNKER HILL, WITH THE BURNING OF CHARLESTOWN, JUNE 17, 1775

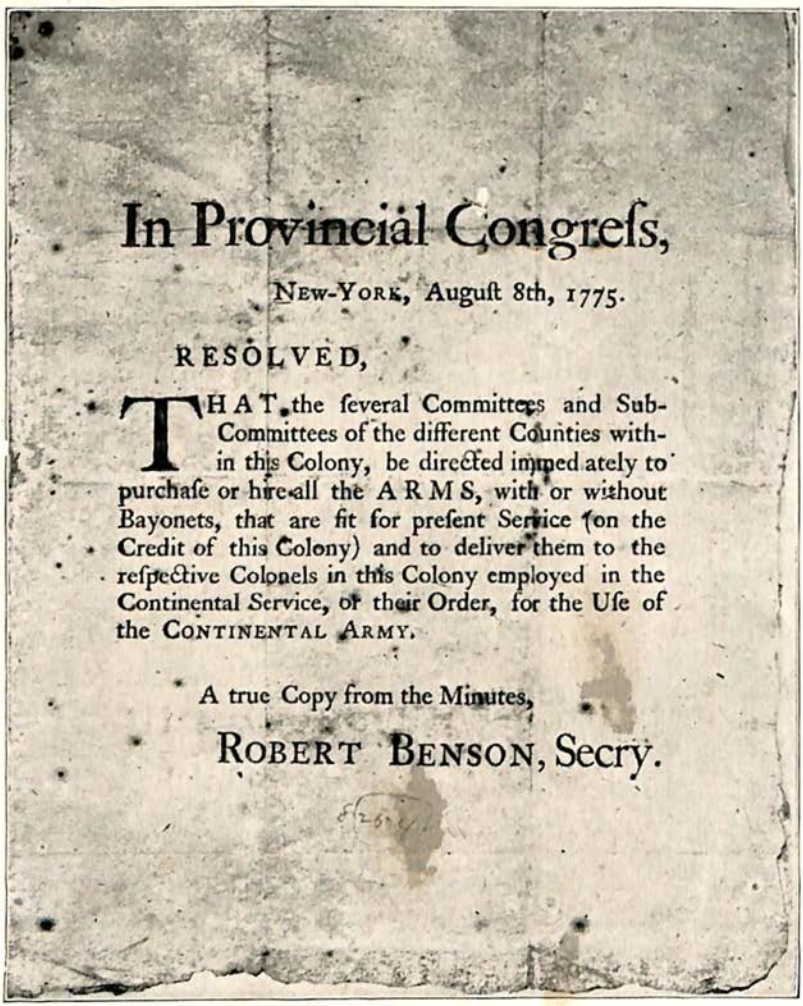
(From Barnard's "History of England")

laying it before his parliament, was huddled into both houses among a bundle of American papers, and there neglected. The lords and commons in their address, in the month of February, said, that "a rebellion at that time actually existed within the province of Massachusetts-Bay; and that those concerned in it, had been countenanced and encouraged by unlawful combinations and engagements, entered into by his majesty's subjects in several of the other colonies; and therefore they besought his majesty, that he would take the most effectual measures to inforce due obedience to the laws and authority of the supreme legislature." Soon after, the commercial intercourse of whole colonies, with foreign countries, and with each other, was cut off by an act of parliament; by another several of them were intirely prohibited from the fisheries in the seas near their coasts, in which they always depended for their sustenance; and large reinforcements of ships and troops were immediately sent over to general Gage.

Fruitless were all the entreaties, arguments, and eloquence of an illustrious band of the most distinguished peers, and commoners, who nobly and stren[*u*]ously asserted the justice of our cause, to stay, or even to mitigate the heedless fury with which these accumulated and unexampled outrages were hurried on. Equally fruitless was the interference of the city of London, of Bristol, and many other respectable towns in our favour. Parliament adopted an insidious manœuvre calculated to divide us, to establish a perpetual auction of taxations where colony should bid against colony, all of them uninformed what ransom would redeem their lives; and thus to extort from us, at the point of the bayonet, the unknown sums that should be sufficient to gratify, if possible to gratify, ministerial rapacity, with the miserable indulgence left to us of raising, in our own mode, the prescribed tribute. What terms more rigid and humiliating could have been dictated by remorse-

less victors to conquered enemies? In our circumstances to accept them, would be to deserve them.

Soon after the intelligence of these proceedings arrived on this continent, general Gage, who in the course of the last year had taken possession of the town of Boston, in the province of Massachusetts-Bay, and still



In Provincial Congreſs,

NEW-YORK, Auguſt 8th, 1775.

RESOLVED,

THAT the ſeveral Committees and Sub-Committees of the different Counties within this Colony, be directed immediately to purchaſe or hire all the ARMS, with or without Bayonets, that are fit for preſent Service (on the Credit of this Colony) and to deliver them to the reſpective Colonels in this Colony employed in the Continental Service, or their Order, for the Uſe of the CONTINENTAL ARMY.

A true Copy from the Minutes,

ROBERT BENSON, Secry.

RESOLUTION FOR THE PURCHASE OF ARMS IN THE COLONY OF NEW YORK

occupied it is [*as*] a garrison, on the nineteenth day of April, sent out from that place a large detachment of his army, who made an unprovoked assault on the inhabitants of the said province, at the town of Lexington, as appears by the affidavits of a great number of persons, some of whom were officers and soldiers of that detachment, murdered eight of the inhabitants, and wounded many others. From thence the troops proceeded in warlike array to the town of Concord, where they set upon another party of the inhabitants of the same province, killing several and wounding more, until compelled to retreat by the country people suddenly assembled to repel this cruel aggression. Hostilities, thus commenced by the British troops, have been since prosecuted by them without regard to faith or reputation. The inhabitants of Boston being confined within that town by the general their governor, and having, in order to procure their dismission, entered into a treaty with him, it was stipulated that the said inhabitants having deposited their arms with their own magistrates, should have liberty to depart, taking with them their other effects. They accordingly delivered up their arms, but in open violation of honour, in defiance of the obligation of treaties, which even savage nations esteemed sacred, the governor ordered the arms deposited as aforesaid, that they might be preserved for their owners, to be seized by a body of soldiers; detained the greatest part of the inhabitants in the town, and compelled the few who were permitted to retire, to leave their most valuable effects behind.

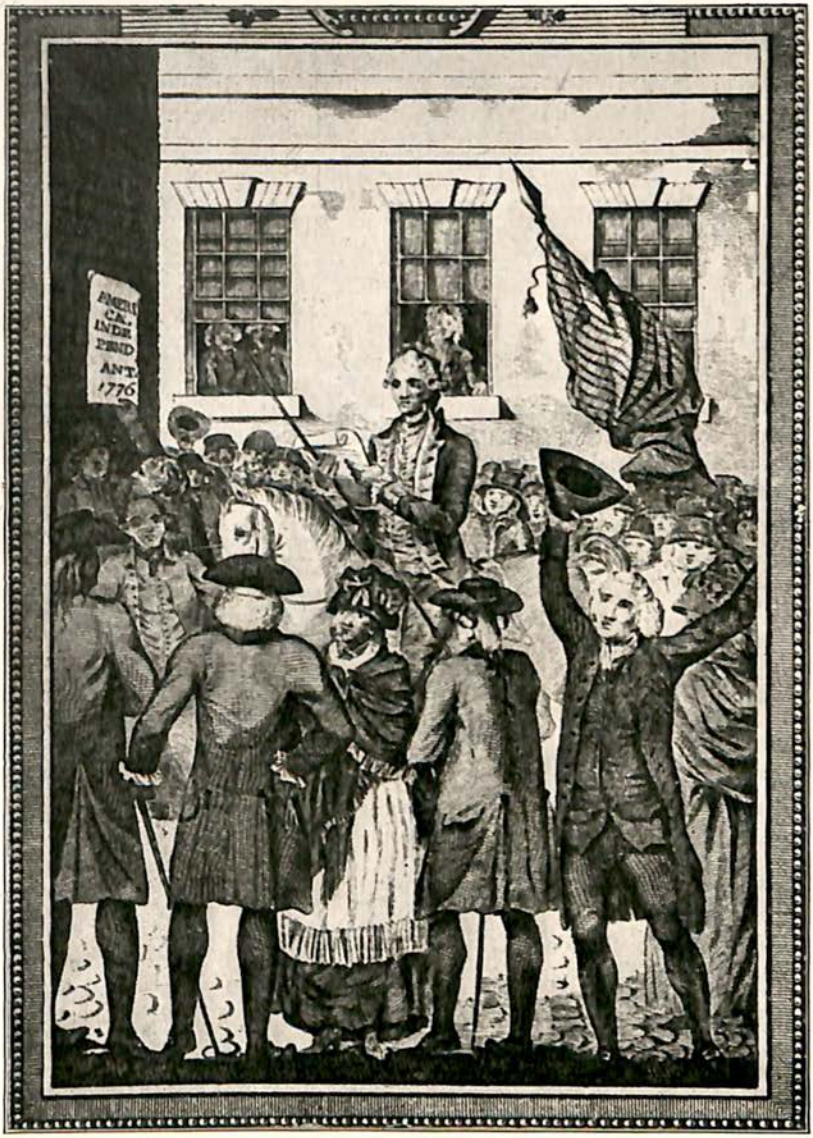
By this perfidy wives were separated from their husbands, children from their parents, the aged and the sick from their relations and friends, who wish to attend and comfort them; and those who have been used to live in plenty and even elegance, are reduced to deplorable distress.

The General, further emulating his ministerial mas-

ters, by a proclamation bearing date on the twelfth day of June, after venting the grossest falsehoods and calumnies against the good people of these colonies, proceeds to "declare them all, either by name or description, to be rebels and traitors, to supersede the course of the common law, and instead thereof to publish and order the use and exercise of the law martial." His troops have butchered our countrymen, have wantonly burnt Charlestown, besides a considerable number of houses in other places; our ships and vessels are seized; the necessary supplies of provisions are intercepted, and he is exerting his utmost power to spread destruction and devastation around him.

We have received certain intelligence, that general Carleton, the governor of Canada, is instigating the people of that province and the Indians to fall upon us; and we have but too much reason to apprehend, that schemes have been formed to excite domestic enemies against us. In brief, a part of these colonies now feel, and all of them are sure of feeling, as far as the vengeance of administration can inflict them, the complicated calamities of fire, sword, and famine. We are reduced to the alternative of chusing an unconditional submission to the tyranny of irritated ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honour, justice, and humanity, forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary bondage upon them.

Our cause is just. Our union is perfect. Our internal resources are great, and, if necessary, foreign assistance is undoubtedly attainable. We gratefully ac-



THE MANNER IN WHICH THE AMERICAN COLONISTS DECLARED THEMSELVES INDEPENDENT OF THE KING OF ENGLAND THROUGHOUT THE DIFFERENT PROVINCES, ON JULY 4, 1776

(From an old print)

knowledge, as signal instances of the Divine favour towards us, that his Providence would not permit us to be called into this severe controversy, until we were grown up to our present strength, had been previously exercised in warlike operation, and possessed of the means of defending ourselves. With hearts fortified with these animating reflections, we most solemnly before God and the world, *declare*, that, exerting the utmost energy of those powers, which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverence, employ for the preservation of our liberties; being with one mind resolved to die freemen rather then to live slaves.

Lest this declaration should disquiet the minds of our friends and fellow-subjects in any part of the empire, we assure them that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored. Necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them. We have not raised armies with ambitious designs of separating from Great-Britain, and establishing independent States. We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle of a people attacked by unprovoked enemies, without any imputation or even suspicion of offence. They boast of their privileges and civilization, and yet proffer no milder conditions than servitude or death.

In our own native land, in defence of the freedom that is our birth-right, and which we ever enjoyed till the late violation of it—for the protection of our property, acquired solely by the honest industry of our forefathers and ourselves, against violence actually offered, we have taken up arms. We shall lay them down when hostilities shall cease on the part of the aggressors, and

all danger of their being renewed shall be removed, and not before.

With an humble confidence in the mercies of the supreme and impartial Judge and Ruler of the Universe, we most devoutly implore his divine goodness to protect us happily through this great conflict, to dispose our adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war.

Washington Assumes Command of the Army at Cambridge, 1775

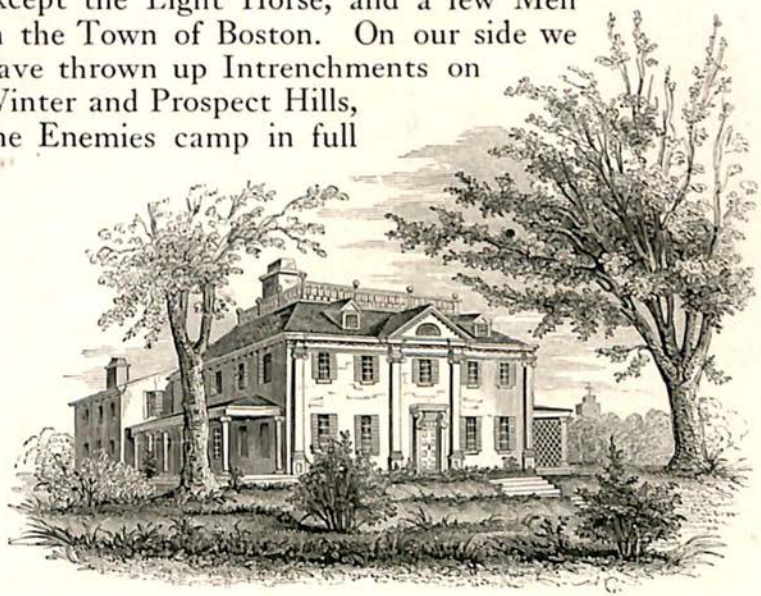
The Second Continental Congress appointed Washington Commander-in-chief of the American army on June 15, 1775, and directed him to assume the command at Cambridge, which he did on July 3d. On the 10th he announced his action to the President of the Congress in a letter, reprinted in "Old South Leaflet," Vol. II., No. 47, from which the following extracts are taken. (See page 61.)

Camp at Cambridge, July 10, 1775.

Sir,

I arrived safe at this Place on the 3d inst., after a Journey attended with a good deal of Fatigue, and retarded by necessary Attentions to the successive Civilities which accompanied me in my whole Rout. Upon my arrival I immediately visited the several Posts occupied by our Troops, and as soon as the Weather permitted, reconnoitred those of the Enemy. I found the latter strongly entrench'd on Bunker's Hill about a Mile from Charlestown, and advanced about half a Mile from the Place of the last Action, with their Centries extended about 150 Yards on this side of the narrowest Part of the Neck leading from this Place to Charlestown; 3 floating Batteries lay in Mystick River, near their camp; and one 20 Gun Ship below the Ferry Place between Boston and Charlestown. They have also a Battery on Copse Hill, on the Boston side, which much annoyed our Troops in the late attack. Upon

the Neck, they are also deeply entrenched and strongly fortified. Their advanced Guards 'till last Saturday morning, occupied Brown's Houses, about a mile from Roxbury Meeting House and 20 roods from their Lines: But at that Time a Party from General Thomas's Camp surprized the Guard, drove them in and burnt the houses. The Bulk of their Army commanded by Genl. Howe, lays on Bunker's Hill, and the Remainder on Roxbury Neck, except the Light Horse, and a few Men in the Town of Boston. On our side we have thrown up Intrenchments on Winter and Prospect Hills, the Enemies camp in full



WASHINGTON'S HEADQUARTERS AT CAMBRIDGE
(In later years the residence of Henry Wadsworth Longfellow)

View at the Distance of little more than a Mile. Such intermediate Points, as would admit a Landing, I have since my arrival taken care to strengthen down to Sewall's Farm, where a strong Entrenchment has been thrown up. At Roxbury General Thomas has thrown up a strong Work on the Hill, about 200 Yards above the Meeting House which with the Broken-ness of the Ground and great Number of Rocks has made

that Pass very secure. The Troops raised in New Hampshire, with a Regiment from Rhode Island occupy Winter Hill. A Part of those from Connecticut under General Puttnam are on Prospect Hill. The Troops in this Town are intirely of the Massachusetts: The Remainder of the Rhode Island Men, are at Sewall's Farm: Two Regiments of Connecticut and 9 of the Massachusetts are at Roxbury. The Residue of the Army, to the Number of about 700, are posted in several small Towns along the Coast, to prevent the Depredations of the Enemy: Upon the whole, I think myself authorized to say, that considering the great Extent of Line, and the nature of the Ground we are as well secured as could be expected in so short a Time and under the Disadvantages we labour. These consist in a Want of Engineers to construct proper Works and direct the men, a Want of Tools, and a sufficient Number of Men to Man the Works in Case of an attack. You will observe by the Proceedings of the Council of War, which I have the Honor to enclose, that it is our unanimous Opinion to hold and defend these Works as long as possible. The Discouragement it would give the Men and its contrary Effects on the ministerial Troops, thus to

GEN. ISRAEL PUTNAM
(Appointed Major-General by the Second Continental Congress)

abandon our Incampment in their Face, form'd with so much Labor, added to the certain Destruction of a considerable and valuable Extent of Country, and our Uncertainty of finding a Place in all Respects so capable of making a stand, are leading Reasons for this Determination: at the same Time we are very sensible of the Difficulties which attend the Defence of Lines of so great extent, and the Dangers which may ensue from such a Division of the Army. . . .

We labor under great Disadvantages for Want of Tents, for tho' they have been help'd out by a Collection of now useless sails from the Sea Port Towns, the Number is yet far short of our Necessities. The Colleges and Houses of this Town are necessarily occupied by the Troops which affords another Reason for keeping our present Situation: But I most sincerely wish the whole Army was properly provided to take the Field, as I am well assured, that besides greater Expedition and Activity in case of Alarm, it would highly conduce to Health and discipline. As Materials are not to be had here, I would beg leave to recommend the procuring a farther supply from Philadelphia as soon as possible. . . .

I find myself already much embarrassed for Want of a Military Chest; these embarrassments will increase every day: I must therefore request that Money may be forwarded as soon as Possible. The want of this most necessary Article, will I fear produce great Inconveniences if not prevented by an early Attention. I find the Army in general, and the Troops raised in Massachusetts in particular, very deficient in necessary Cloathing. Upon Inquiry there appears no Probability of obtaining any supplies in this quarter. And the best Consideration of this Matter I am able to form, I am of Opinion that a Number of hunting Shirts not less than 10,000, would in a great Degree remove this Difficulty in the cheapest and quickest manner. I know nothing in a speculative View more trivial, yet if put in Practice

would have a happier Tendency to unite the Men, and abolish those Provincial Distinctions which lead to Jealousy and Dissatisfaction. In a former part of this Letter I mentioned the want of Engineers; I can hardly express the Disappointment I have experienced on this Subject. The skill of those we have, being very imperfect and confined to the mere manual Exercise of Cannon: Whereas — the War in which we are engaged requires a Knowledge comprehending the Duties of the Field and Fortifications. If any Persons thus qualified are to be found in the Southern Colonies, it would be of great publick Service to forward them with all expedition. Upon the Article of Ammunition I must re-echo the former Complaints on this Subject: We are so exceedingly destitute, that our Artillery will be of little Use without a supply both large and seasonable: What we have must be reserved for the small Arms, and that managed with the utmost Frugality.

GEN. PHILIP SCHUYLER
(Appointed Major-General June 19, 1775)

I am sorry to observe that the Appointments of the General Officers in the Province of Massachusetts Bay have by no Means corresponded with the Judgement

and Wishes of either the civil or Military. The great Dissatisfaction expressed in this Subject and the apparent Danger of throwing the Army into the utmost Disorder, together with the strong Representations of the Provincial Congress, have induced me to retain the Commissions in my Hands untill the Pleasure of the Congress should be farther known, (except General Puttnam's which was given the Day I came into Camp and before I was apprized of these Uneasinesses.) In such a Step I must beg the Congress will do me the Justice to believe, that I have been actuated solely by a Regard to the publick Good. I have not, nor could have any private Attachments; every Gentleman in Appointment, was an intire Stranger to me but from Character. I must therefore rely upon the Candor of the Congress for their favorable Construction of my Conduct in this Particular. General Spencer was so much disgusted at the preference given to General Puttnam that he left the Army without visiting me, or making known his Intentions in any respect. General Pomroy had also retired before my Arrival, occasioned (as is said) by some Disappointment from the Provincial Congress. General Thomas is much esteemed and earnestly desired to continue in the service: and as far as my Opportunities have enabled me to judge I must join in the general opinion that he is an able good Officer and his Resignation would be a publick Loss. The postponing him to Pomroy and Heath whom he has commanded would make his Continuance very difficult, and probably operate on his Mind, as the like Circumstance has done on that of Spencer.

The State of the Army you will find ascertained with tolerable Precision in the Returns which accompany this Letter. Upon finding the Number of men to fall so far short of the Establishment, and below all Expectation, I immediately called a Council of the general Officers, whose opinion as to the mode of filling up the

Regiments, and providing for the present Exigency, I have the Honor of inclosing together with the best Judgment we are able to form of the ministerial Troops. From the Number of Boys, Deserters, and Negroes

ARTEMAS WARD

(Appointed Major-General by the Second Continental Congress)

which have been inlisted in the troops of this Province, I entertain some doubts whether the number required can be raised here; and all the General Officers agree that no Dependance can be put on the militia for a Continuance in Camp, or Regularity and Discipline during the short Time they may stay. This unhappy and devoted Province has been so long in a State of

John Hancock

JOHN HANCOCK

(From an engraving by I. B. Forrest after the painting by Copley)

Anarchy, and the Yoke of ministerial Oppression been laid so heavily on it that great Allowances are to be made for Troops raised under such Circumstances: The Deficiency of Numbers, Discipline and Stores can only lead to this Conclusion, that their Spirit has exceeded their Strength. But at the same Time I would humbly submit to the consideration of the Congress, the Propriety of making some farther Provision of Men from the other Colonies. If these Regiments should be completed to their Establishment, the Dismission of those unfit for Duty on account of their Age and Character would occasion a considerable Reduction, and at all events they have been inlisted upon such Terms, that they may be disbanded when other Troops arrive: But should my apprehensions be realized, and the Regiments here not filled up, the publick Cause would suffer by an absolute Dependance upon so doubtful an Event, unless some Provision is made against such a Disappointment.

It requires no military Skill to judge of the Difficulty of introducing proper Discipline and Subordination into an Army while we have the Enemy in View, and are in daily Expectation of an Attack, but it is of so much Importance that every Effort will be made which Time and Circumstance will admit. In the mean Time I have a sincere Pleasure in observing that there are Materials for a good Army, a great number of able bodied Men, active zealous in the Cause and unquestionable courage. . . .

My best Abilities are at all Times devoted to the Service of my Country, but I feel the Weight Importance and variety of my present Duties too sensibly, not to wish a more immediate and frequent Communication with the Congress. I fear it may often happen in the Course of our present Operations, that I shall need that Assistance and Direction from them which Time and Distance will not allow me to receive. . . .

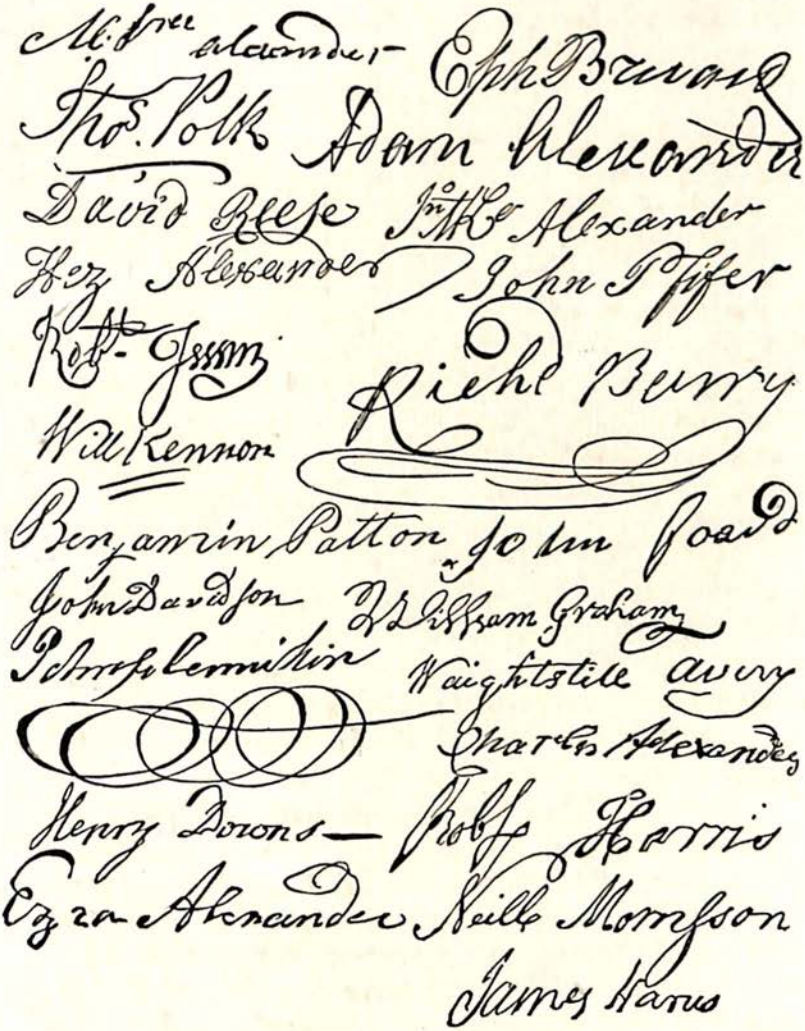
Mecklenburg Declaration of Independence, 1775

This document, which has been the subject of much historical controversy, purports to be a series of resolutions adopted at a meeting of the citizens of Mecklenburg County, N. C., held at Charlotte on May 20, 1775. This date, it will be noted, is more than a year earlier than that of the Philadelphia convention, which is recognized as the official date of the American Declaration of Independence. Text from *Raleigh Register and North Carolina Gazette*, published in Raleigh, N. C., Friday, April 30, 1819. (Vol. XX., No. 1023.) (See page 70.)

1. *Resolved*, That whosoever directly or indirectly abetted or in any way, form or manner, countenanced the unchartered and dangerous invasions of our rights, as claimed by Great-Britain, is an enemy to this Country,—to America,—and to the inherant and inalienable rights of man.

2. *Resolved*, That we the citizens of Mecklenburg County, do hereby dissolve the political bands which have connected us to the Mother Country, and hereby absolve ourselves from allegiance to the British Crown, and abjure all political connection, contract or association with that Nation, who have wantonly trampled on our rights and liberties—and inhumanly shed the innocent blood of American patriots at Lexington.

3. *Resolved*, That we do hereby declare ourselves a



AUTOGRAPHS OF THE MEMBERS OF THE MECKLENBURG COMMITTEE

free and independent People, are and of right ought to be, a sovereign and self-governing Association, under the control of no power other than that of our God and the General Government of the Congress; to the maintenance of which independence, we solemnly pledge to each other our mutual cooperation, our lives, our fortunes, and our most sacred honor.

4. *Resolved*, That, as we now acknowledge the existence and control of no law or legal officer, civil or military, within this County, We do hereby ordain and adopt as a rule of life, all, each and every of our former laws, —wherein, nevertheless, the Crown of Great-Britain never can be considered as holding rights, privileges, immunities or authority therein.

5. *Resolved*, That it is also further decreed, that all, each and every military officer in this county is hereby reinstated to his former command and authority, he acting conformably to these regulations. And that every member present of this delegation shall henceforth be a civil officer,—viz.: a Justice of the Peace in the character of a "*Committee man*," to issue process, hear and determine all matters of controversy, according to said adopted laws, and to preserve peace, and union, and harmony in said County,—and to use every exertion to spread the love of country and fire of freedom throughout America, until a more general and organized government be established in this province.

Washington's Capture of Boston, 1776

Washington had taken command of the American army at Cambridge on July 3, 1775. During January, February, and the first half of March, 1776, he made several reports on the situation to the President of Congress. The following extracts from his reports note the movements that led to his capture of Boston. The text, which is from "Old South Leaflet," Vol. IV., No. 86, contains only the essential statements. (See page 67.)

Cambridge, 26 February, 1776.

. . . We are making every necessary preparation for taking possession of Dorchester Heights as soon as possible with a view of drawing the enemy out.—How far our expectations may be answered, time can only determine; But I should think, if any thing will induce them to hazard an engagement, It will be our attempting to fortifie these heights; as on that event's taking place, we shall be able to command a great part of the town, and almost the whole harbor, and to make them rather disagreeable than otherwise, provided we can get a sufficient supply of what we greatly want.

Cambridge, 7 March, 1776.

. . . On the 26th ultimo I had the honor of addressing you, and then mentioned that we were making preparations for taking possession of Dorchester Heights. I now beg leave to inform you, that a council of general officers having determined a previous bombardment and

A PROCLAMATION.

By His EXCELLENCY,

The Honorable WILLIAM HOWE,

Major-General and Commander in Chief of all His Majeſty's Forces within the Colonies laying on the Atlantic Ocean, from *Nova-Scotia* to *Weſt-Florida* incluſive, &c. &c. &c.

WHEREAS ſeveral of the Inhabitants of this Town have lately abſconded to join, it is apprehended, His Majeſty's Enemies aſſembled in open Rebellion:

I DO, by Virtue of the Power and Authority in me veſted by His Majeſty, forbid any Perſon or Perſons whatever, not belonging to the Navy, to paſs from hence by Water or otherwiſe, from the Date hereof, without my Order or Permiſſion given in Writing.

ANY Perſon or Perſons detected in the Attempt, or who may be retaken, upon ſufficient Proof thereof, ſhall be liable to military Execution; and thoſe who eſcape ſhall be treated as Traitors, by Seizure of their Goods and Effects.

ALL Maſters of Tranſports or other Veſſels ſailing from hence, unleſs under the immediate Order of SAMUEL GRAVES, Eſq; Vice Admiral of the White, &c. &c. &c. or Officer commanding His Majeſty's Ships of War on this Service for the Time being, are hereby ſtrictly forbidden to receive any Perſon or Perſons on Board without my Order or Permiſſion in Writing. Any Maſter or others detected in Diſobeying this Proclamation ſhall be liable to ſuch Fine and Impriſonment as may be adjudged.

GIVEN at Head-Quarters in Boſton, *this Twenty eighth Day of October*, 1775.

A PROCLAMATION BY LORD WILLIAM HOWE, BOSTON, OCTOBER 28, 1775

cannonade expedient and proper, in order to harass the enemy and divert their attention from that quarter, on Saturday, Sunday, and Monday nights last, we carried them on from our posts at Cobble Hill, Lechmere's Point, and Lamb's Dam. Whether they did the enemy any considerable and what injury, I have not yet heard, but have the pleasure to acquaint you, that they greatly facilitated our schemes.

. . . During the whole cannonade, which was incessant the two last nights, we were fortunate enough to lose but two men; one, a lieutenant, by a cannon-ball taking off his thigh; the other, a private, by the explosion of a shell, which also slightly wounded four or five more.

Our taking possession of Dorchester Heights is only preparatory to taking post on Nook's Hill, and the points opposite to the south end of Boston. It was absolutely necessary, that they should be previously fortified, in order to cover and command them. As soon as the works on the former are finished, measures will be immediately adopted for securing the latter, and making them as strong and defensible as we can. Their contiguity to the enemy will make them of much importance and of great service to us. . . .

In case the ministerial troops had made an attempt to dislodge our men from Dorchester Hills, and the number detached upon the occasion had been so great as to have afforded a probability of a successful attack's being made upon Boston; on a signal given from Roxbury for that purpose, agreeably to a settled and concerted plan, four thousand chosen men, who were held in readiness, were to have embarked at the mouth of Cambridge River, in two divisions, the first under the command of Brigadier-General Sullivan, the second under Brigadier-General Greene; the whole to have been commanded by Major-General Putnam. The first division was to land at the powder-house and gain pos-

session of Beacon Hill and Mount Horam; the second at Barton's Point, or a little south of it, and, after securing that post, to join the other division, and force the enemy's gates and works at the neck, for letting in the Roxbury troops. Three floating batteries were to have preceded, and gone in front of the other boats, and kept up a heavy fire on that part of the town where our men were to land. . . .

HEAD-QUARTERS, CAMBRIDGE, 19 March, 1776.

SIR,

It is with the greatest pleasure I inform you that on Sunday last, the 17th instant, about nine o'clock in the forenoon, the ministerial army evacuated the town of Boston, and that the forces of the United Colonies are now in actual possession thereof. I beg leave to congratulate you, Sir, and the honorable Congress, on this happy event, and particularly as it was effected without endangering the lives and property of the remaining unhappy inhabitants.

I have great reason to imagine their flight was precipitated by the appearance of a work, which I had ordered to be thrown up last Saturday night on an eminence at Dorchester, which lies nearest to Boston Neck, called Nook's Hill. The town, although it has suffered greatly, is not in so bad a state as I expected to find it. . . .

The situation in which I found their works evidently discovered, that their retreat was made with the greatest precipitation. They have left their barracks and other works of wood at Bunker's Hill all standing, and have destroyed but a small part of their lines. They have also left a number of fine pieces of cannon, which they first spiked up, also a very large iron mortar; and, (as I am informed,) they have thrown another over the end of your wharf. I have employed proper persons to drill the cannon, and doubt not I shall save the

A PROCLAMATION.

By His EXCELLENCY,

The Honorable WILLIAM HOWE,

Major-General and Commander in Chief of all His Majeſty's Forces within the Colonies laying on the Atlantic Ocean, from *Nova-Scotia* to *Weſt-Florida* inclusive, &c. &c. &c.

WHEREAS the preſent and approaching Diſtreſſes of many of the Inhabitants in the Town of *Boſton*, from the Scarcity, and high Prices of Proviſions, Fuel, and other neceſſary Articles of Life, can only be avoided, by permitting them to go where they may hope to procure eaſier Means of Subſiſtance:

NOTICE is hereby given, that all thoſe, ſuffering under the above-mentioned Circumſtances, who chuſe to depart the Town, may give in their Names to Captain JAMES URQUHART, Town-Major, before Thurſday, Twelve o'Clock on the Ninth Inſtant, ſpecifying their Names, Abodes, Number and Names of thoſe in Family, Effects, &c. that Paſſes may be made out, conformable to Regulations already eſtabliſhed.

GIVEN at Head-Quarters in Boſton, *this ſixth Day of November*, 1775.

A PROCLAMATION BY LORD WILLIAM HOWE, BOSTON, NOVEMBER 5, 1775

most of them. I am not yet able to procure an exact list of all the stores they have left. As soon as it can be done, I shall take care to transmit it to you. From an estimate of what the quartermaster-general has already discovered, the amount will be twenty-five or thirty thousand pounds.

Declaration of Independence, 1776

Corrected text from original manuscript on parchment now in the Department of State. From photographic facsimile in J. H. Hazleton's "The Declaration of Independence: its history." N. Y., Dodd, Mead & Co., 1906. (See page 70.)

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinion of mankind requires that they should declare the causes which impel them to the separation.—

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experi-

ence hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object, the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.—

He has refused his Assent to Laws, the most wholesome and necessary for the public good.—

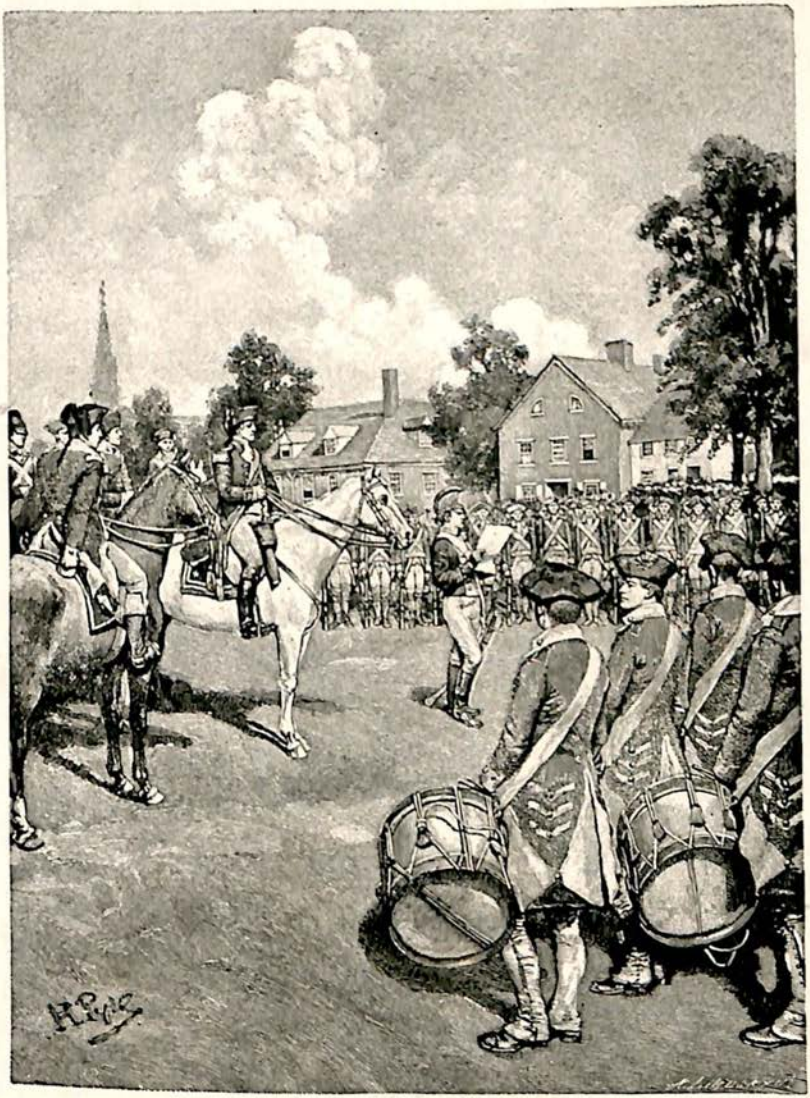
He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operations till his Assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.—

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them, and formidable to tyrants only.—

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.—

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.—

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative



READING THE DECLARATION OF INDEPENDENCE BEFORE WASHINGTON'S ARMY, NEW YORK, JULY 9, 1776

powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.—

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of lands.—

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.—

He has made judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.—

He has erected a multitude of New Offices and sent hither swarms of Officers to harass our people, and eat out their substance.—

He has kept among us, in time of peace, Standing Armies without the consent of our legislatures.—

He has affected to render the Military independent of and superior to the Civil power.—

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:—

For quartering large bodies of armed troops among us:—

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the inhabitants of these States:—

For cutting off our Trade with all parts of the world:—

For imposing taxes on us without our Consent:—

For depriving us in many cases, of the benefits of Trial by Jury:—

For transporting us beyond Seas to be tried for pretended offences:—

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:—

HOUSE IN WHICH JEFFERSON WROTE THE DECLARATION OF INDEPENDENCE, CORNER OF MARKET AND SEVENTH STREETS, PHILADELPHIA

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:—

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.—

He has abdicated Government here, by declaring us out of his Protection, and waging War against us.—

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our People.—

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.—

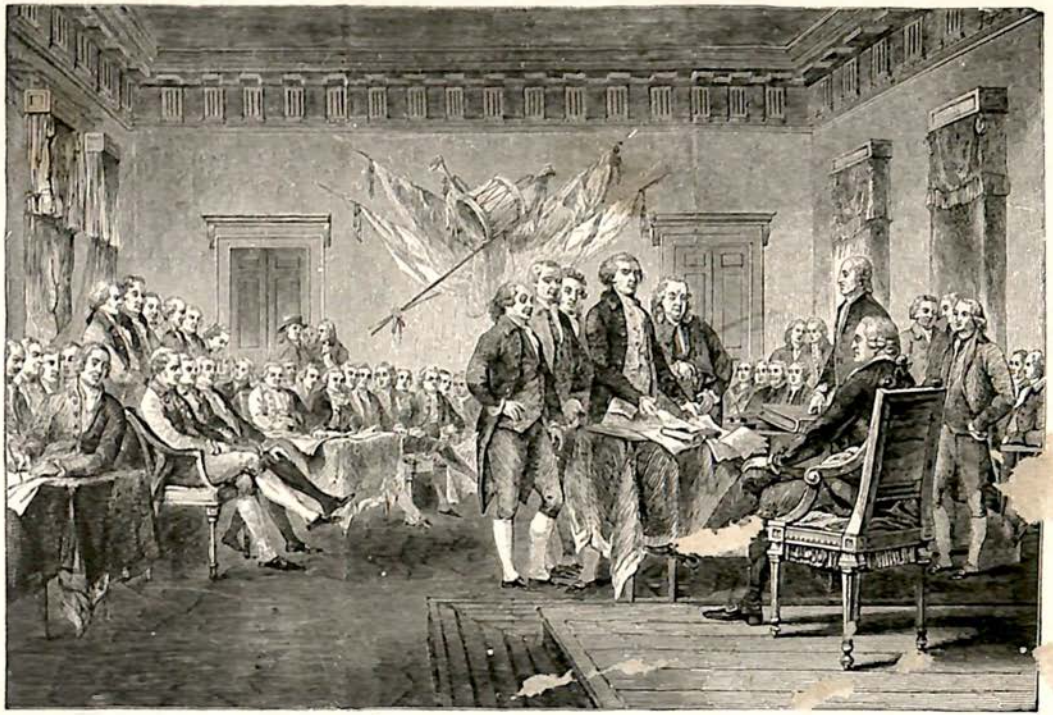
He has constrained our fellow Citizens taken Captive on the high Seas to bear arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.—

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all Ages, Sexes, and conditions.—

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms; Our Pet. tions have been answered only by repeated injury. A Prince, whose character is thus marked by ever ac which may define a Tyrant, is unfit to be ruler of a fre people.—

Nor have We been wanting in attentions to ou Brit ish brethren. We have warned them fro'n time to time of attempts by their legislature to exten an unwarrantable jurisdiction over us. We have re.minded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which d .nces our Separation, and hold them. as we hold the rest of m. kind, Enemies in War, in Peace Friends.—

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, ap-



SIGNING THE DE[illegible] RA[illegible] OF INDEPENDENCE

pealing to the Supreme Judge of the world for the rectitude of our intentions do, in the Name and by the Authority of the good People of these Colonies, solemnly publish and declare That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by order and in behalf of the Congress.[1]

JOHN HANCOCK, President.
Attested, CHARLES THOMPSON, Secretary.

New Hampshire.

JOSIAH BARTLETT, WILLIAM WHIPPLE, MATTHEW THORNTON.

Massachusetts Bay.

SAMUEL ADAMS, JOHN ADAMS,
ROBERT TREAT PAINE, ELBRIDGE GERRY.

Rhode Island, Etc.

STEPHEN HOPKINS, WILLIAM ELLERY.

Connecticut.

ROGER SHERMAN, SAMUEL HUNTINGTON,
WILLIAM WILLIAMS, OLIVER WOLCOTT.

New York.

WILLIAM FLOYD, PHILIP LIVINGSTON,
FRANCIS LEWIS, LEWIS MORRIS.

[1] This phrase appears in the first printed copy, but not in the original manuscript.

ORIGINAL DOCUMENTS

New Jersey.

RICHARD STOCKTON, JOHN WITHERSPOON,
FRANCIS HOPKINSON, JOHN HART,
ABRAHAM CLARK.

North Carolina.

WILLIAM HOOPER, JOSEPH HEWES, JOHN PENN.

Georgia.

BUTTON GWINNETT, LYMAN HALL, GEORGE WALTON.

Pennsylvania.

ROBERT MORRIS, BENJAMIN RUSH, BENJAMIN FRANKLIN,
JOHN MORTON, GEORGE CLYMER, JAMES SMITH,
GEORGE TAYLOR, WILLIAM PACA, GEORGE ROSS.

Delaware.

CÆSAR RODNEY, GEORGE READ, THOMAS M'KEAN.

Maryland.

SAMUEL CHASE, THOMAS STONE,
CHARLES CARROLL OF CARROLLTON, JAMES WILSON.

Virginia.

GEORGE WYTHE, RICHARD HENRY LEE,
THOMAS JEFFERSON, BENJAMIN HARRISON,
THOMAS NELSON, JR., FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

South Carolina.

EDWARD RUTLEDGE, THOMAS HEYWARD, JR.,
THOMAS LYNCH, JR., ARTHUR MIDDLETON.

Washington Receives Extraordinary Powers, 1776

On the day after the capture of Trenton, and while that event was still unknown to the Congress sitting in Baltimore, that body passed the following resolution conferring practically dictatorial authority on Washington. Text from the "Journal of Congress," December 27, 1776. (See page 90.)

Resolved, That General Washington shall be, and he is hereby vested with full, ample, and complete powers to raise and collect together, in the most speedy and effect-

THE CONGRESS HOUSE, BALTIMORE
(Where the Congress adjourned to from Philadelphia)

tual manner, from any or all of these United States, sixteen battalions of infantry in addition to those already voted by Congress; to appoint officers for the said battalions; to raise, officer, and equip 3000 light horse; three regiments of artillery, and a corps of engineers; and to establish their pay; to apply to any of the states for such aid of the militia as he shall judge necessary; to form such magazines of provisions, and in such places, as he shall think proper; to displace and appoint all officers under the rank of brigadier general, and to fill up all vacancies in every other department in the American armies; to take, wherever he may be, whatever he may want for the use of the army, if the inhabitants will not sell it, allowing a reasonable price for the same; to arrest and confine persons who refuse to take the continental currency or are otherwise disaffected to the American cause; and return to the states, of which they are citizens, their names, and the nature of their offences, together with the witnesses to prove them:

That the foregoing powers be vested in general Washington, for and during the term of six months from the date hereof, unless sooner determined by Congress.

Burgoyne's Surrender at Saratoga, 1777

The details of Burgoyne's surrender were preserved by Sergeant Roger Lamb of the Royal Welsh Fusileers, an officer closely associated with General Burgoyne at Saratoga. His "Journal of Occurrences during the late American War" was published in Dublin in 1809. In these Journals he published for the first time the official documents leading up to the surrender. (See page 108.)

The Saratoga campaign in October, 1777, had become so serious for the British forces that on October 12th—according to Sergeant Lamb—

a council of war composed of general officers was held, in which general Burgoyne stated the present situation to the following effect:

"Upwards of fourteen thousand of the army, with a considerable quantity of artillery almost surround us, threatening an attack every moment. Two large bodies with cannon at Fort Edward guard that passage. A brigade below Saratoga church, by which their two armies can have a free communication. Our batteaux destroyed, and the enemy in possession of the immediate passes over Hudson's River. The following routes are those which offer themselves for the retreat of the army:—

"1st. To cross the river by the ford at Fort Edward.

"2d. To take a passage over the mountains until we

arrived at some place higher up the river, where it can be passed by rafts.

"3d. To continue the march on the mountains until we arrive at a ford, reported to be passable, but the passage of which is acknowledged to be attended with much danger.

"4th. To persevere in the march over the mountains, until we clear the head of Hudson's River, keeping on the westward of Lake George until the army shall arrive at Ticonderoga. The Indians, and some small bodies of stragglers only, have effected the latter passage."

BRIGADIER-GENERAL FRASER
(Commander of the Light Brigade under Burgoyne)

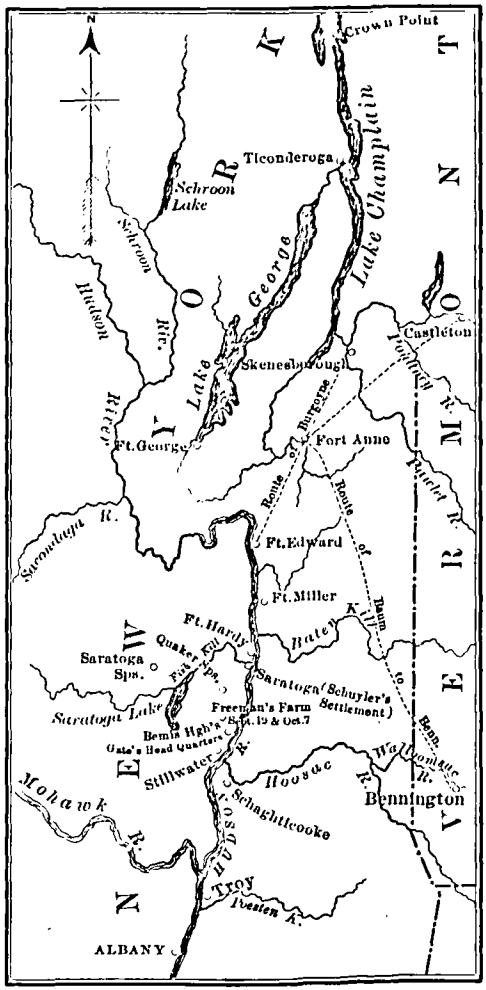
At the same time, general Burgoyne submitted to the council his readiness to attack the enemy, and attempt forcing a passage through their ranks. The council, however, determined in favor of a retreat by night. It was also stated, that the provisions could not possibly hold out beyond the 20th, and that there were neither rum nor spruce beer. . . .

The general deduced the following propositions, and to them the council gave the annexed replies:

"1st. To wait in the present position an attack from the enemy, or the chance of favourable events.

"2d. To attack the enemy.

"3d. To retreat, repairing the bridges as the army moves for the artillery, in order to force the passage of the ford.



GENERAL MAP ILLUSTRATING THE BURGOYNE CAMPAIGN

"4th. To retreat by night, leaving the artillery and the baggage; and should it be found impracticable to force the passage with musquetry, to attempt the upper ford, or the passage round Lake George.

"5th. In case the enemy by extending to their left, leave their rear open, to march rapidly for Albany.

"Upon the first proposition resolved, that the situation would grow worse by delay; that the provision now in store is not more than sufficient for the retreat, should impediments intervene, or a circuit of country become necessary, and as the enemy did not attack when the ground was unfortified, it is not probable they will do it now, as they have a better game to play.

"The second unadvisable and desperate, there being no possibility of reconnoitering the enemy's position, and their great superiority of numbers known.

"The third impracticable.

"The fifth thought worthy of consideration by the lieutenant-general, major-general Phillips, and brigadier-general Hamilton; but the position of the enemy yet gives no opening for it.

"Resolved, that the fourth proposition is the only resource, and that to effect it, the utmost secrecy and silence is to be observed; and the troops are to be put in motion from the right in the still part of the night, without any change in the disposition."

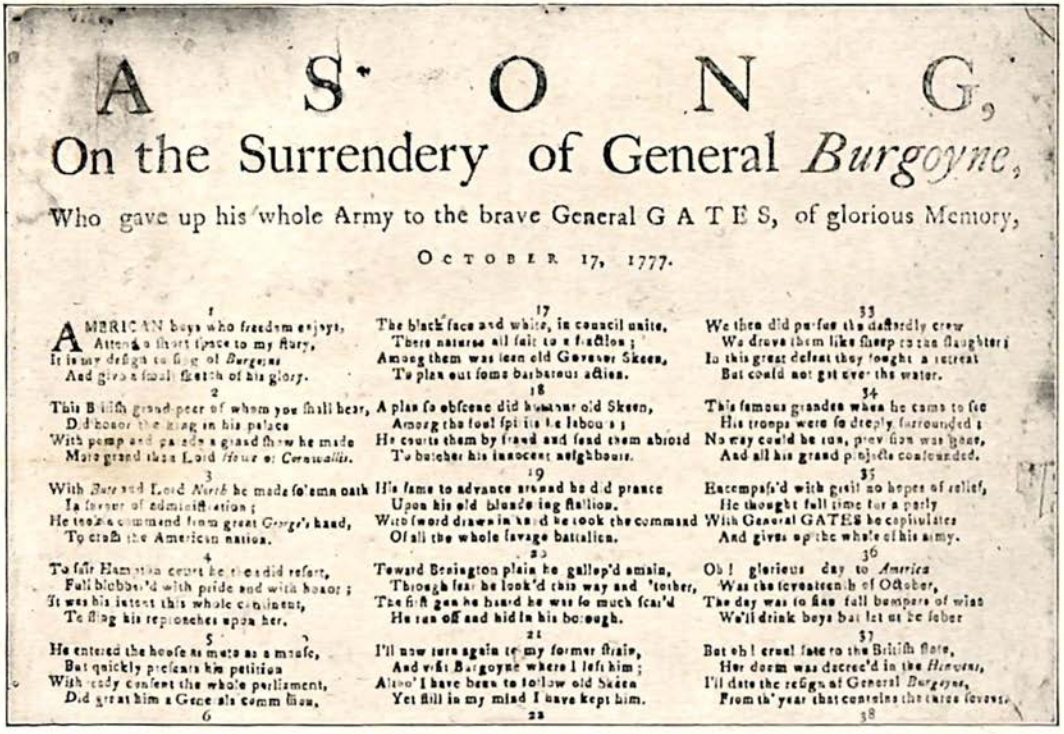
The arrival of scouts prevented the execution of this determination. They brought intelligence, that the enemy's position on the right was such, and they had so many small parties out, that it would be impossible to move without being immediately discovered. Thus circumstanced, general Burgoyne again assembled the council. . . .

General Burgoyne then drew up the following letter directed to general Gates, relative to the negociation, and laid it before the council. It was unanimously approved, and upon that foundation the treaty opened.

"After having fought you twice, lieutenant general Burgoyne, has waited some days in his present position, determined to try a third conflict, against any force you could bring to attack him.

"He is apprized of the superiority of your numbers, and the disposition of your troops, to impede his supplies, and render his retreat a scene of carnage on both sides. In this situation he is compelled by humanity, and thinks himself justified by established principles, and precedents of state, and of war, to spare the lives of brave men upon honorable terms.

"Should major general Gates, be inclined to treat upon that idea, general Burgoyne would propose a



A SONG,

On the Surrendery of General *Burgoyne*,

Who gave up his whole Army to the brave General GATES, of glorious Memory,

OCTOBER 17, 1777.

1

AMERICAN boys who freedom enjoyt,
Attend a short space to my story,
It is my design to sing of *Burgoyne*
And give a small sketch of his glory.

2

This British grandpeer of whom you shall hear,
Did honor the king in his palace
With pomp and parade a grand show he made
More grand than Lord *Howe* or *Cornwallis*.

3

With *Bute* and Lord *North* he made solemn oath
In favour of administration;
He took a command from great *George's* hand,
To crush the American nation.

4

To fair Hampton court he then did resort,
Full blubber'd with pride and with honor;
It was his intent this whole continent,
To sling his reproaches upon her.

5

He entered the house as mute as a mouse,
But quickly presents his petition
With ready consent the whole parliament,
Did grant him a General's commission.

6

17

The black face and white, in council unite,
There natures all fair to a fraction;
Among them was seen old Governor Skeen,
To plan out some barbarous actions.

18

A plan so obscene did humour old Skeen,
Among the foul spirits he labours;
He courts them by fraud and send them abroid
To butcher his innocent neighbours.

19

His fame to advance around he did prance
Upon his old blundering stallion,
With sword drawn in hand he took the command
Of all the whole savage battalion.

20

Toward Bensington plain he gallop'd amain,
Though fear he took'd this way and 'tother,
The first gun he heard he was so much fear'd
He run off and hid in his borough.

21

I'll now turn again to my former strain,
And visit Burgoyne where I left him;
Alass! I have been to follow old Skeen
Yet still in my mind I have kept him.

22

33

We then did pursue the dastardly crew
We drove them like sheep to the slaughter;
In this great defeat they sought a retreat
But could not get over the water.

34

This famous grandee when he came to see
His troops were so deeply surrounded;
No way could he run, prey tion was gone,
And all his grand projects confounded.

35

Encompass'd with guns no hopes of relief,
He thought full time for a parly
With General GATES he capitulates
And gives up the whole of his army.

36

Oh! glorious day to *America*
Was the seventeenth of October,
The day was to fame full bumpers of wine
We'll drink boys but let us be sober

37

But oh! cruel fate to the British state,
Her doom was decreed in the *Heavens*,
I'll date the reign of General *Burgoyne*,
From th' year that contains the three sevens.

38

FACSIMILE OF SOME OF THE VERSES OF "A SONG ON THE SURRENDERY OF GENERAL BURGOYNE"

cessation of arms, during the time necessary to communicate the preliminary terms by which in any extremity, he, and his army, mean to abide."

General Gates then transmitted the following proposals to general Burgoyne:

"General Burgoyne's army being exceedingly reduced by repeated defeats, by desertion, sickness, &c. their provisions exhausted, their military horses, tents and baggage taken or destroyed, their retreat cut off, and their camp invested, they can only be allowed to surrender prisoners of war."

HESSIAN SOLDIER

"Answer. Lieutenant general Burgoyne's army however reduced, will never admit that their retreat is cut off while they have arms in their hands.

"The troops under his excellency general Burgoyne's command, may be drawn up in their encampments, where they will be ordered to ground their arms, and may thereupon be marched to the river side to be passed over in their way towards Bennington."

"Answer. This article inadmissible in any extremity." . . . The following was substituted in its stead.

"The troops to march out of their camp with the honors of war, and the artillery of the entrenchments, to the verge of the river, where their arms and artillery must

be left. The arms to be piled by word of command from their own officers.

"A free passage to be granted to the army under lieutenant general Burgoyne to Great Britain, upon condition of not serving again in North America during the present contest; and the port of Boston to be assigned for the entry of transports to receive the troops whenever general Howe shall so order."

While the British troops were marching from the heights of Saratoga to the verge of the river, the American drummers and fifers were ordered by General Gates to play the tune of "Yankey Doodle," while at the same time his troops were drawn up in a thick part of the wood out of the sight of the British army.

First Treaties Made by the United States, 1778

On February 6, 1778, two treaties were concluded at Paris, between the United States of North America and France: the first, one of alliance; the second, one of amity and commerce. The first one, here given, it will be noted, acknowledged the independence of the American Colonies. Both treaties were the result of Benjamin Franklin's negotiations. Text in "Revised Statutes of the United States Relating to the District of Columbia, etc." (See page 114.)

The Most Christian King and the United States of North America, to wit: New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, having this day concluded a treaty of amity and commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take in consideration the means of strengthening those engagements, and of rendering them useful to the safety and tranquility of the two parties; particularly in case Great Britain, in resentment of that connection and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities or by hindering her commerce and navigation in a manner contrary to the rights of nations, and the peace subsisting between the two Crowns. And His Majesty and the said United States, having

resolved in that case to join their counsels and efforts against the enterprises of their common enemy, the respective Plenipotentiaries impowered to concert the

BENJAMIN FRANKLIN
(Medallion by Nini, in the National Portrait Gallery)

clauses and conditions proper to fulfil said intentions, have, after the most mature deliberation, concluded and determined on the following articles:

ARTICLE I

If war should break out between France and Great Britain during the continuance of the present war be-

tween the United States and England, His Majesty and the said United States shall make it a common cause and aid each other mutually with their good offices, their counsels and their forces, according to the exigence of conjunctures, as becomes good and faithful allies.

ARTICLE II

The essential and direct end of the present defensive alliance is to maintain effectually the liberty, sovereignty, and independence absolute and unlimited, of the said United States, as well in matters of government as of commerce.

ARTICLE III

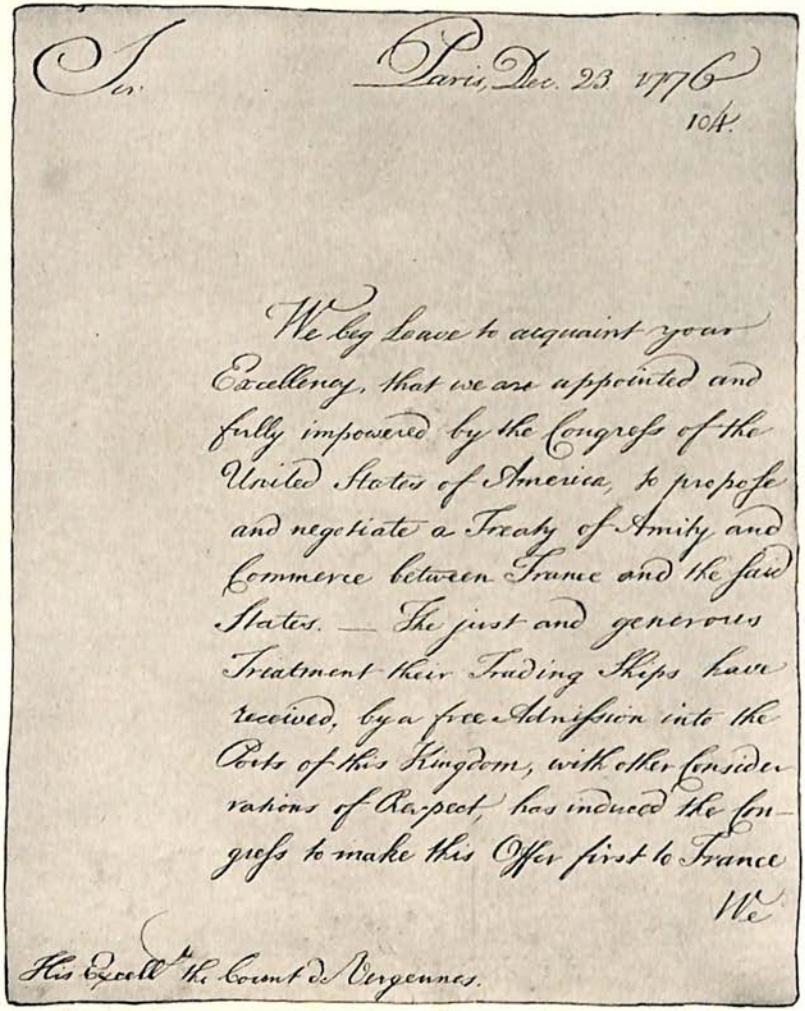
The two contracting parties shall each on its own part, and in the manner it may judge most proper, make all the efforts in its power against their common enemy, in order to attain the end proposed.

ARTICLE IV

The contracting parties agree that in case either of them should form any particular enterprise in which the concurrence of the other may be desired, the party whose concurrence is desired, shall readily, and with good faith, join to act in concert for that purpose, as far as circumstances and its own particular situation will permit; and in that case, they shall regulate, by a particular convention, the quantity and kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

ARTICLE V

If the United States should think fit to attempt the reduction of the British power, remaining in the northern



Sir. Paris, Dec. 23 1776

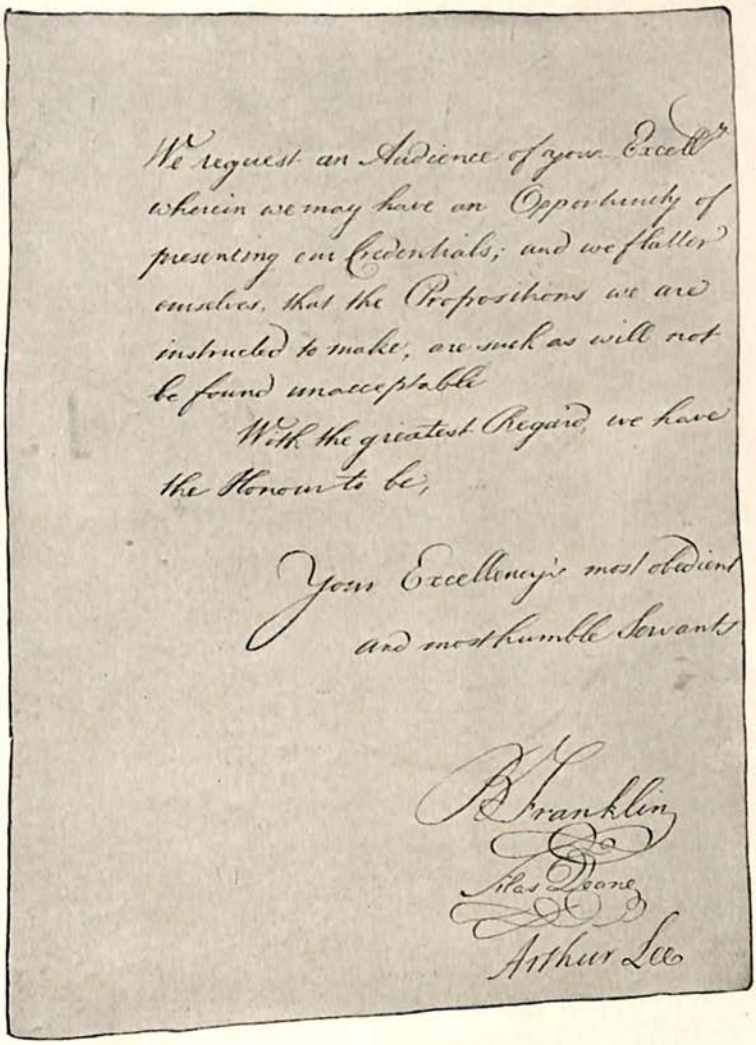
10 A.

We beg Leave to acquaint your Excellency, that we are appointed and fully impowered by the Congress of the United States of America, to propose and negotiate a Treaty of Amity and Commerce between France and the said States. — The just and generous Treatment their Trading Ships have received, by a free Admission into the Ports of this Kingdom, with other Considerations of Respect, has induced the Congress to make this Offer first to France

We

His Excell.y the Count de Vergennes.

THE FIRST FORMAL DIPLOMATIC COMMUNICATION MADE ON



We request an Audience of your Excell^{y} wherein we may have an Opportunity of presenting our Credentials; and we flatter ourselves, that the Propositions we are instructed to make, are such as will not be found unacceptable

With the greatest Regard, we have the Honour to be,

Your Excellency's most obedient and most humble Servants

B Franklin

Silas Deane

Arthur Lee

BEHALF OF THE UNITED STATES TO A FOREIGN POWER

parts of America, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with or dependent upon the said United States.

ARTICLE VI

The Most Christian King renounces forever the possession of the islands of Bermudas, as well as of any part of the continent of North America, which before the treaty of Paris in 1763, or in virtue of that treaty, were acknowledged to belong to the Crown of Great Britain, or to the United States, heretofore called British Colonies, or which are at this time, or have lately been under the power of the King and Crown of Great Britain.

C. A. GERARD

(Secretary in the French Foreign Office who executed the treaties of February 6, 1778, on behalf of France).

ARTICLE VII

If His Most Christian Majesty shall think proper to attack any of the islands situated in the Gulph of Mexico, or near that Gulph, which are at present under the power of Great Britain, all the said isles, in case of success, shall appertain to the Crown of France.

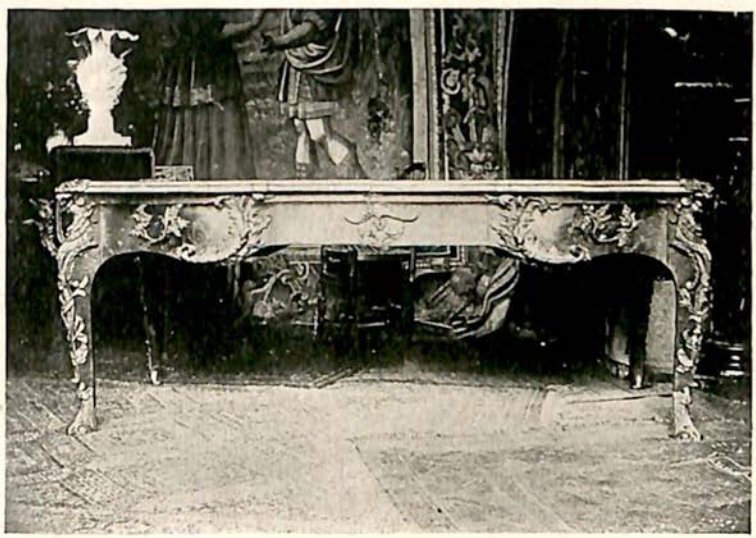
ARTICLE VIII

Neither of the two parties shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained; and they mutually engage not to lay down their arms until the independence of the United States shall have been formally or tacitly

assured by the treaty or treaties that shall terminate the war.

ARTICLE IX

The contracting parties declare, that being resolved to fulfil each on its own part the clauses and conditions



HISTORIC TABLE IN THE FRENCH FOREIGN OFFICE
(On this table were signed [in 1778] our treaties of commerce and alliance with France)

of the present treaty of alliance, according to its own power and circumstances, there shall be no after claim of compensation on one side or the other, whatever may be the event of the war.

ARTICLE X

The Most Christian King and the United States agree to invite or admit other powers who may have received injuries from England, to make common cause with them, and to accede to the present alliance, under

such conditions as shall be freely agreed to and settled between all the parties.

ARTICLE XI

The two parties guarantee mutually from the present time and forever against all other powers to wit: The United States to His Most Christian Majesty, the present possessions of the Crown of France in America, as well as those which it may acquire by the future treaty of peace. And His Most Christian Majesty guarantees on his part to the United States their liberty, sovereignty, and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now, or heretofore possessed by Great Britain in North America, conformable to the 5th and 6th articles above written, the whole as their possessions shall be fixed and assured to the said States, at the moment of the cessation of their present war with England.

SILAS DEANE

(Appointed Secret Agent to France by the Continental Congress)

ARTICLE XII

In order to fix more precisely the sense and application of the preceding article, the contracting parties declare, that in case of a rupture between France and England the reciprocal guarantee declared in the said article shall have its full force and effect the moment such war shall break out; and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence until the moment of the cessation of the present war between the United States and England shall have ascertained their possessions.

PIERRE AUGUSTIN CARON DE BEAUMARCHAIS
(From a drawing by St. Aubin)

ARTICLE XIII

The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months or sooner if possible.

In faith whereof the respective Plenipotentiaries, to wit: On the part of the Most Christian King, Conrad Alexander Gerard, Royal Syndic of the city of Strasbourgh, and Secretary of his Majesty's Council of State;

and on the part of the United States, Benjamin Franklin, Deputy to the General Congress from the State of Pennyslvania, and President of the Convention of the same State, Silas Deane, heretofore Deputy from the State of Connecticut, and Arthur Lee, Councellor at Law, have signed the above articles both in the French and English languages, declaring, nevertheless, that the present treaty was originally composed and concluded in the French language, and they have hereunto affixed their seals.

Done at Paris this sixth day of February, one thousand seven hundred and seventy-eight.

C. A. GERARD (L. S.)
B. FRANKLIN (L. S.)
SILAS DEANE (L. S.)
ARTHUR LEE (L. S.)

The Capture of Vincennes, 1779

Learning that Governor Hamilton, of Detroit, had captured Vincennes, Col. George Rogers Clark led an expedition against him and recaptured the town, February 20, 1779. This campaign completed the conquest of the country north of the Ohio River. The following are various extracts selected from Clark's "Memoirs," by the editor of "Old South Leaflet," No. 43, giving the essential details of the campaign. (See page 124.)

Everything being ready, on Feb. 5, after receiving a lecture and absolution from the priest, we crossed the Kaskaskia River with 170 men, marched about 3 miles and encamped, where we lay until the (7th), and set out. . . . It was difficult and very fatiguing marching. My object was now to keep the men in spirits. I suffered them to shoot game on all occasions, and feast on it like Indian war-dancers. . . . Thus, insensibly, without a murmur, were those men led on to the banks of the Little Wabash, which we reached on the 13th, through incredible difficulties. . . .

We formed a camp on a height which we found on the bank of the river, and suffered our troops to amuse themselves. I ordered a pirogue to be built immediately, and acted as though crossing the water would be only a piece of diversion. In the evening of the 14th our vessel was finished, manned, and sent to explore the drowned lands on the opposite side of the Little Wabash, with private instructions what report to make, and, if

possible, to find some spot of dry land. They found about half an acre, and marked the trees from thence back to the camp, and made a very favorable report. . . . The channel of the river where we lay was about 30 yards wide. A scaffold was built on the opposite shore (which was about 3 feet under water), and our baggage ferried across, and put on it. Our horses swam across, and received their loads at the scaffold, by which time the troops were also brought across, and we began our march through the water. . . .

We were now convinced that the whole of the low country on the Wabash was drowned, and that the enemy could easily get to us, if they discovered us, and wished to risk an action; if they did not, we made no doubt of crossing the river by some means or other. . . .

The last day's march through the water was far superior to anything the Frenchmen had an idea of. They were backward in speaking; said that the nearest land to use was a small league called the Sugar Camp, on the bank of the (river?) A canoe was sent off, and returned without finding that we could pass. I went in here myself, and sounded the water; found it deep as to my neck. I returned with a design to have the men transported on board the canoes to the Sugar Camp. . . . I returned but slowly to the troops, giving myself time to think. On our arrival, all ran to hear what was the report. Every eye was fixed on me. I unfortunately spoke in a serious manner to one of the officers. The whole were alarmed without knowing what I said. I viewed their confusion for about one minute, whispered to those near me to do as I did: immediately put some water in my hand, poured on powder, blackened my face, gave the war-whoop, and marched into the water without saying a word. The party gazed, and fell in, one after another, without saying a word, like a flock of sheep. . . . I now intended to have them transported across the deepest part of the water; but, when

GEORGE ROGERS CLARK

(From the painting by Otto Stark, painted for the Indiana Society of the Sons of the Revolution.)

about waist deep, one of the men informed me that he thought he felt a path. We examined, and found it so, and concluded that it kept on the highest ground, which it did; and, by taking pains to follow it, we got to the Sugar Camp without the least difficulty, where there was about half an acre of dry ground, at least, not under water, where we took up our lodging. . . .

A little after sunrise I lectured the whole. I concluded by informing them that passing the plain that was then in full view and reaching the opposite woods would put an end to their fatigue, that in a few hours they would have a sight of their long-wished-for object, and immediately stepped into the water without waiting for any reply. Getting about the middle of the plain, the water about mid-deep, I found myself sensibly failing; and, as there were no trees nor bushes for the men to support themselves by, I feared that many of the most weak would be drowned. I ordered the canoes to make the land, discharge their loading, and play backward and forward with all diligence, and pick up the men; and, to encourage the party, sent some of the strongest men forward, with orders, when they got to a certain distance, to pass the word back that the water was getting shallow, and when getting near the woods to cry out, "Land!" This stratagem had its desired effect. The men, encouraged by it, exerted themselves almost beyond their ability; the weak holding by the stronger. . . . The water never got shallower, but continued deepening. Getting to the woods, where the men expected land, the water was up to my shoulders; but gaining the woods was a great consequence. All the low men and the weakly hung to trees, and floated on the old logs until they were taken off by the canoes. The strong and tall got ashore and built fires. Many would reach the shore, and fall with their bodies half in in the water, not being able to support themselves without it. Crossing a narrow, deep lake in the canoes, and

marching some distance, we came to a copse of timber called the Warrior's Island. We were now in full view of the fort and town, not a shrub between us, at about 2 miles' distance.

Our situation was now truly critical—no possibility of retreating in case of defeat, and in full view of a town that had, at this time, upward of 600 men in it—troops, inhabitants, and Indians. Our fate was now to be determined, probably in a few hours. We knew that nothing but the most daring conduct would insure success. I knew that a number of the inhabitants wished us well, that many were lukewarm to the interest of either, and I also learned that the grand chief, the Tobacco's son, had but a few days before openly declared, in council with the British, that he was a brother and friend to the Big Knives. As there was but little probability of our remaining until dark undiscovered, I determined to begin the career immediately, and wrote the following placard to the inhabitants:

To the Inhabitants of Post Vincennes:

Gentlemen,—Being now within 2 miles of your village with my army, determined to take your fort this night, and not being willing to surprise you, I take this method to request such of you as are true citizens and willing to enjoy the liberty I bring you to remain still in your houses; and those, if any there be, that are friends to the King will instantly repair to the fort, and join the hair-buyer general, and fight like men. And if any such as do not go to the fort shall be discovered afterwards, they may depend on severe punishment. On the contrary, those who are true friends to liberty may depend on being well treated; and I once more request them to keep out of the streets. For every one I find in arms on my arrival I shall treat him as an enemy.

(Signed) G. R. Clark.

We anxiously viewed this messenger until he entered the town, and in a few minutes could discover by our glasses some stir in every street that we could penetrate into, and great numbers running or riding out into the

commons, we supposed, to view us, which was the case. But what surprised us was that nothing had yet happened that had the appearance of the garrison being alarmed—no drum nor gun. We began to suppose that

SIMON KENTON WHO JOINED CLARK AT THE FALLS OF THE OHIO IN 1778
(From the painting owned by Robert Clark, Cincinnati, Ohio)

the information we got from our prisoners was false, and that the enemy already knew of us, and were prepared. . . . A little before sunset we moved, and displayed ourselves in full view of the town, crowds gazing at us. We were plunging ourselves into certain destruction or success. . . .

We moved on slowly in full view of the town; but, as it was a point of some consequence to us to make

ourselves appear as formidable, we, in leaving the covert that we were in, marched and countermarched in such a manner that we appeared numerous. In raising volunteers in the Illinois, every person that set about the business had a set of colors given him, which they brought with them to the amount of ten or twelve pairs. These were displayed to the best advantage; and, as the low plain we marched through was not a perfect level, but had frequent risings in it 7 or 8 feet higher than the common level (which was covered with water), and as these risings generally ran in an oblique direction to the town, we took the advantage of one of them, marching through the water under it, which completely prevented our being numbered. But our colors showed considerably above the heights, as they were fixed on long poles procured for the purpose, and at a distance made no despicable appearance; and, as our young Frenchmen had, while we lay on the Warrior's Island, decoyed and taken several fowlers with their horses, officers were mounted on these horses, and rode about, more completely to deceive the enemy. In this manner we moved, and directed our march in such a way as to suffer it to be dark before we had advanced more than half-way to the town. We then suddenly altered our direction, and crossed ponds where they could not have suspected us, and at about eight o'clock gained the heights back of the town. As there was yet no hostile appearance, we were impatient to have the cause unriddled. Lieutenant Bayley was ordered, with fourteen men, to march and fire on the fort. The main body moved in a different direction, and took possession of the strongest part of the town.

The firing now commenced on the fort, but they did not believe it was an enemy until one of their men was shot down through a port, as drunken Indians frequently saluted the fort after night. The drums now sounded, and the business fairly commenced on both sides. Rein-

forcements were sent to the attack of the garrison, while other arrangements were making in town. . . . We now found that the garrison had known nothing of us; that, having finished the fort that evening, they had amused themselves at different games, and had just retired before my letter arrived, as it was near roll-call.

The garrison was soon completely surrounded, and the firing continued without intermission (except about fifteen minutes a little before day) until about nine o'clock the following morning. It was kept up by the whole of the troops, joined by a few of the young men of the town, who got permission, except fifty men kept as a reserve. . . . Sometimes an irregular fire, as hot as possible, was kept up from different directions for a few minutes, and then only a continual scattering fire at the ports as usual; and a great noise and laughter immediately commenced in different parts of the town, by the reserved parties, as if they had only fired on the fort a few minutes for amusement, and as if those continually firing at the fort were only regularly relieved. Conduct similar to this kept the garrison constantly alarmed. They did not know what moment they might be stormed or (blown up?), as they could plainly discover that we had flung up some intrenchments across the streets, and appeared to be frequently very busy under the bank of the river, which was within 30 feet of the walls. The situation of the magazine we knew well. Captain Bowman began some works in order to blow it up, in case our artillery should arrive; but, as we knew that we were daily liable to be overpowered by the numerous bands of Indians on the river, in case they had again joined the enemy (the certainty of which we were unacquainted with), we resolved to lose no time, but to get the fort in our possession as soon as possible.

A little before day the troops were withdrawn from their positions about the fort, except a few parties of

observation, and the firing totally ceased. Orders were given, in case of Lamotte's approach, not to alarm or fire on him without a certainty of killing or taking the whole. In less than a quarter of an hour, he passed within 10 feet of an officer and a party that lay concealed. Ladders were flung over to them; and, as they mounted them, our party shouted. Many of them fell from the top of the walls—some within, and others back; but, as they were not fired on, they all got over, much to the joy of their friends. But, on considering the matter, they must have been convinced that it was a scheme of ours to let them in, and that we were so strong as to care but little about them or the manner of their getting into the garrison.... The firing immediately commenced on both sides with double vigor; and I believe that more noise could not have been made by the same number of men.

Thus the attack continued until about nine o'clock on the morning of the 24th. Learning that the two prisoners they had brought in the day before had a considerable number of letters with them, I supposed it an express that we expected about this time, which I knew to be of the greatest moment to us, as we had not received one since our arrival in the country; and, not being fully acquainted with the character of our enemy, we were doubtful that those papers might be destroyed, to prevent which I sent a flag (with a letter) demanding the garrison.

[The following is a copy of the letter which was addressed by Colonel Clark to Lieutenant-Governor Hamilton on this occasion:

Sir,—In order to save yourself from the impending storm that now threatens you, I order you immediately to surrender yourself, with all your garrison, stores, etc. For, if I am obliged to storm, you may depend on such treatment as is justly due to a murderer. Beware of destroying stores of any kind or any papers or letters that

are in your possession, or hurting one house in town; for, by Heavens! if you do, there shall be no mercy shown you.

(Signed) G. R. CLARK.

The British commandant immediately returned the following answer:

Lieutenant-Governor Hamilton begs leave to acquaint Colonel Clark that he and his garrison are not disposed to be awed into any action unworthy British subjects.]

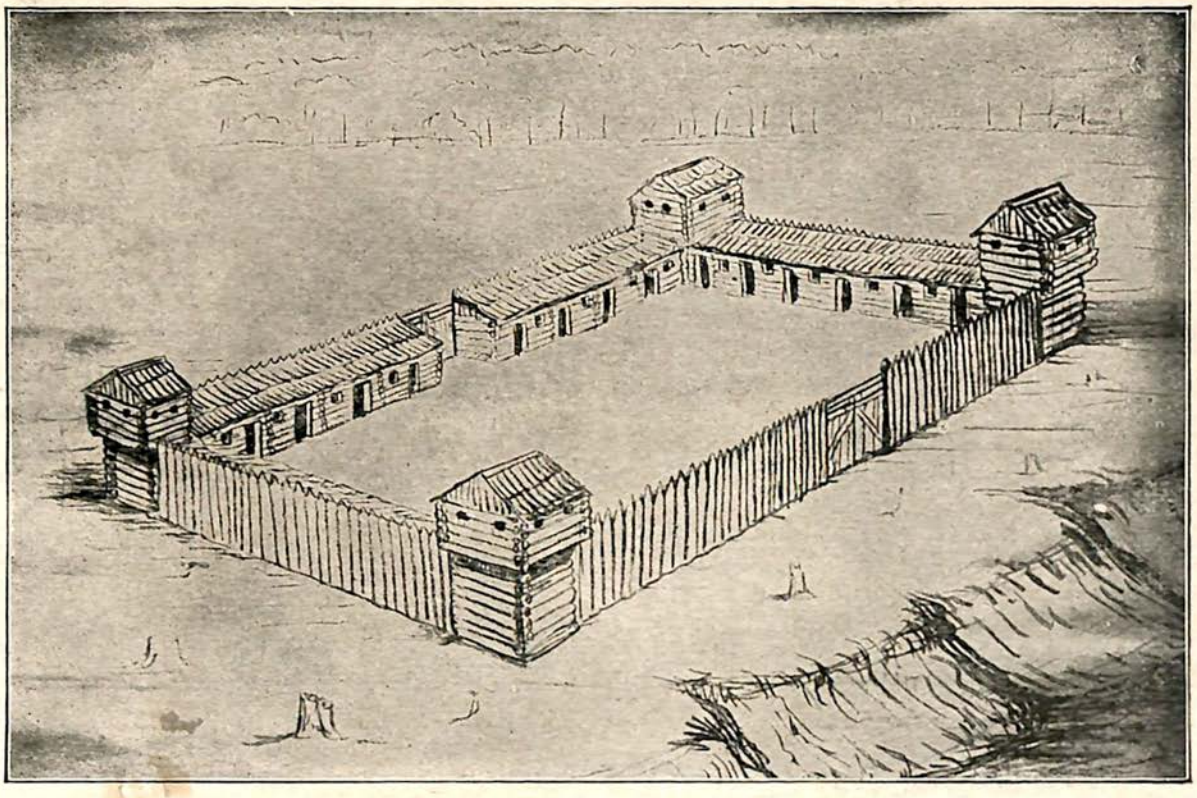
The firing then commenced warmly for a considerable time; and we were obliged to be careful in preventing our men from exposing themselves too much, as they were now much animated, having been refreshed during the flag. They frequently mentioned their wishes to storm the place, and put an end to the business at once. . . . The firing was heavy through every crack that could be discovered in any part of the fort. Several of the garrison got wounded, and no possibility of standing near the embrasures. Towards the evening a flag appeared with the following proposals:

Lieutenant-Governor Hamilton proposes to Colonel Clark a truce for three days, during which time he promises there shall be no defensive works carried on in the garrison, on condition that Colonel Clark shall observe, on his part, a like cessation of any defensive work—that is, he wishes to confer with Colonel Clark as soon as can be, and promises that whatever may pass between them two and another person mutually agreed upon to be present shall remain secret till matters be finished, as he wishes that, whatever the result of the conference may be, it may tend to the honor and credit of each party. If Colonel Clark makes a difficulty of coming into the fort, Lieutenant-Governor Hamilton will speak to him by the gate.

(Signed) HENRY HAMILTON.

February 24th, 1779.

I was at a great loss to conceive what reason Lieutenant-Governor Hamilton could have for wishing a truce of three days on such terms as he proposed. Numbers



A KENTUCKY FORT

(Ideal sketch, from contemporary descriptions and plans, by James R. Stuart. Courtesy of A. C. McClurg & Co.)

said it was a scheme to get me into their possession. I had a different opinion and no idea of his possessing such sentiments, as an act of that kind would infallibly ruin him. Although we had the greatest reason to expect a reinforcement in less than three days, that would at once put an end to the siege, I yet did not think it prudent to agree to the proposals, and sent the following answer:

Colonel Clark's compliments to Lieutenant-Governor Hamilton, and begs leave to inform him that he will not agree to any terms other than Mr. Hamilton's surrendering himself and garrison prisoners at discretion. If Mr. Hamilton is desirous of a conference with Colonel Clark, he will meet him at the church with Captain Helm.

(Signed) G. R. C.

February 24th, 1779.

We met at the church, about 80 yards from the fort, Lieutenant-Governor Hamilton, Major Hay, superintendent of Indian affairs, Captain Helm, their prisoner, Major Bowman, and myself. The conference began. Hamilton produced terms of capitulation, signed, that contained various articles, one of which was that the garrison should be surrendered on their being permitted to go to Pensacola on parole. After deliberating on every article, I rejected the whole. He then wished that I would make some proposition. I told him that I had no other to make than what I had already made—that of his surrendering as prisoners at discretion. . . . We took our leave, and parted but a few steps, when Hamilton stopped, and politely asked me if I would be so kind as to give him my reasons for refusing the garrison any other terms than those I had offered. I told him I had no objections in giving him my real reasons, which were simply these: that I knew the greater part of the principal Indian partisans of Detroit were with him; that I wanted an excuse to put them to death or otherwise treat them as I thought proper; that the cries of the

widows and the fatherless on the frontiers, which they had occasioned, now required their blood from my hand; and that I did not choose to be so timorous as to disobey the absolute commands of their authority, which I looked upon to be next to divine; that I would rather lose fifty men than not to empower myself to execute this piece of business with propriety; that, if he chose to risk the massacre of his garrison for their sakes, it was his own pleasure; and that I might, perhaps, take it into my head to send for some of those widows to see it executed. . . .

Some moments elapsed without a word passing on either side. From that moment my resolutions changed respecting Hamilton's situation. I told him that we would return to our respective posts; that I would reconsider the matter, and let him know the result. No offensive measures should be taken in the mean time. Agreed to; and we parted. What had passed being made known to our officers, it was agreed that we should moderate our resolutions.

In the course of the afternoon of the 24th the following articles were signed, and the garrison capitulated:

I. Lieutenant-Governor Hamilton engages to deliver to Colonel Clark Fort Sackville, as it is at present, with all the stores, etc.

II. The garrison are to deliver themselves as prisoners of war, and march out with their arms and accoutrements, etc.

III. The garrison to be delivered up at ten o'clock to-morrow.

IV. Three days' time to be allowed the garrison to settle their accounts with the inhabitants and traders of this place.

V. The officers of the garrison to be allowed their necessary baggage, etc.

Signed at Post St. Vincent [Vincennes], 24th of February, 1779.

Agreed for the following reasons: the remoteness from succor; the state and quantity of provisions, etc.; unanimity of officers and men in its expediency; the honorable terms allowed; and, lastly, the confidence in a generous enemy.

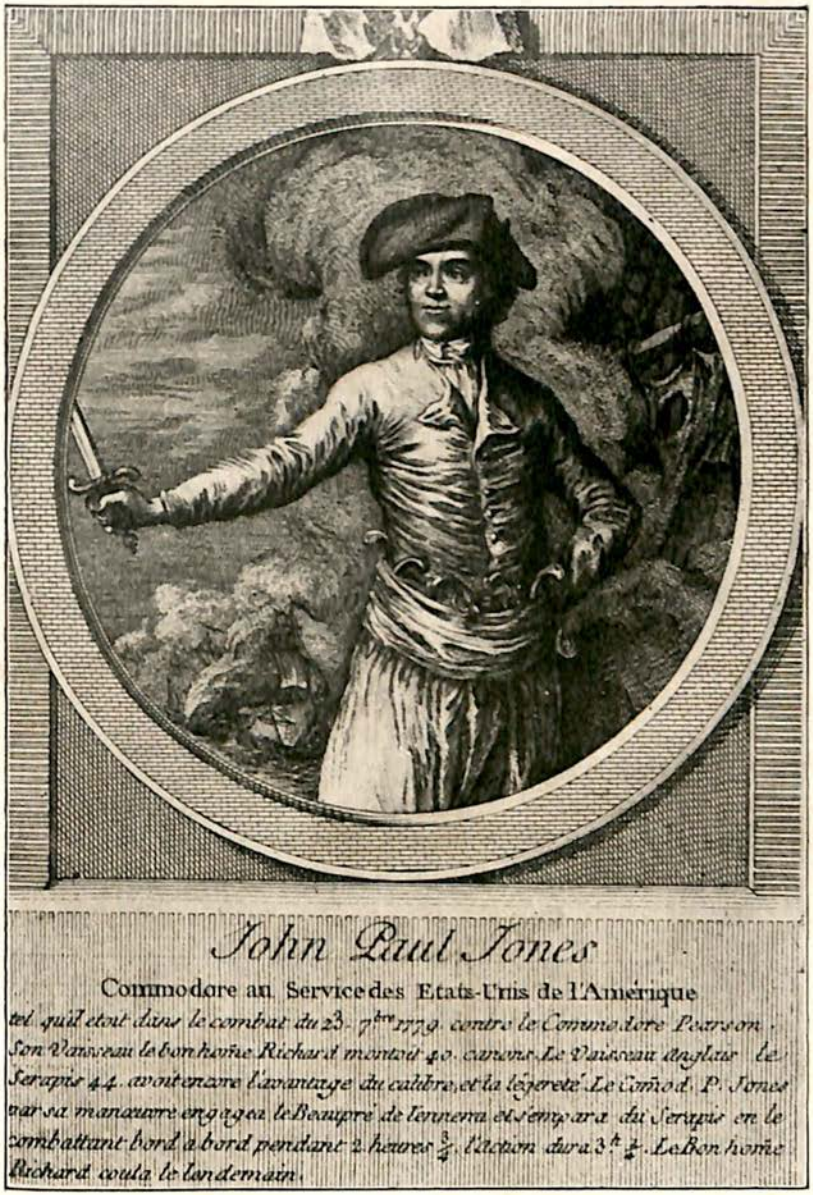
(Signed) HENRY HAMILTON,
Lieut.-Gov. and Superintendent.

The morning of the 25th approaching, arrangements were made for receiving the garrison (which consisted of seventy-nine men), and about ten o'clock it was delivered in form; and everything was immediately arranged to the best advantage.

John Paul Jones's Report on His Great Sea Fight, 1779

Captain Jones's official report of his fight on September 23, 1779, was written on board the *Serapis*, while lying off Holland. It was sent by him to Franklin, then representing the Colonies in France, for transmission to Congress. Extract from "Life and Correspondence of John Paul Jones," New York, 1830, pp. 180–188. (See page 131.)

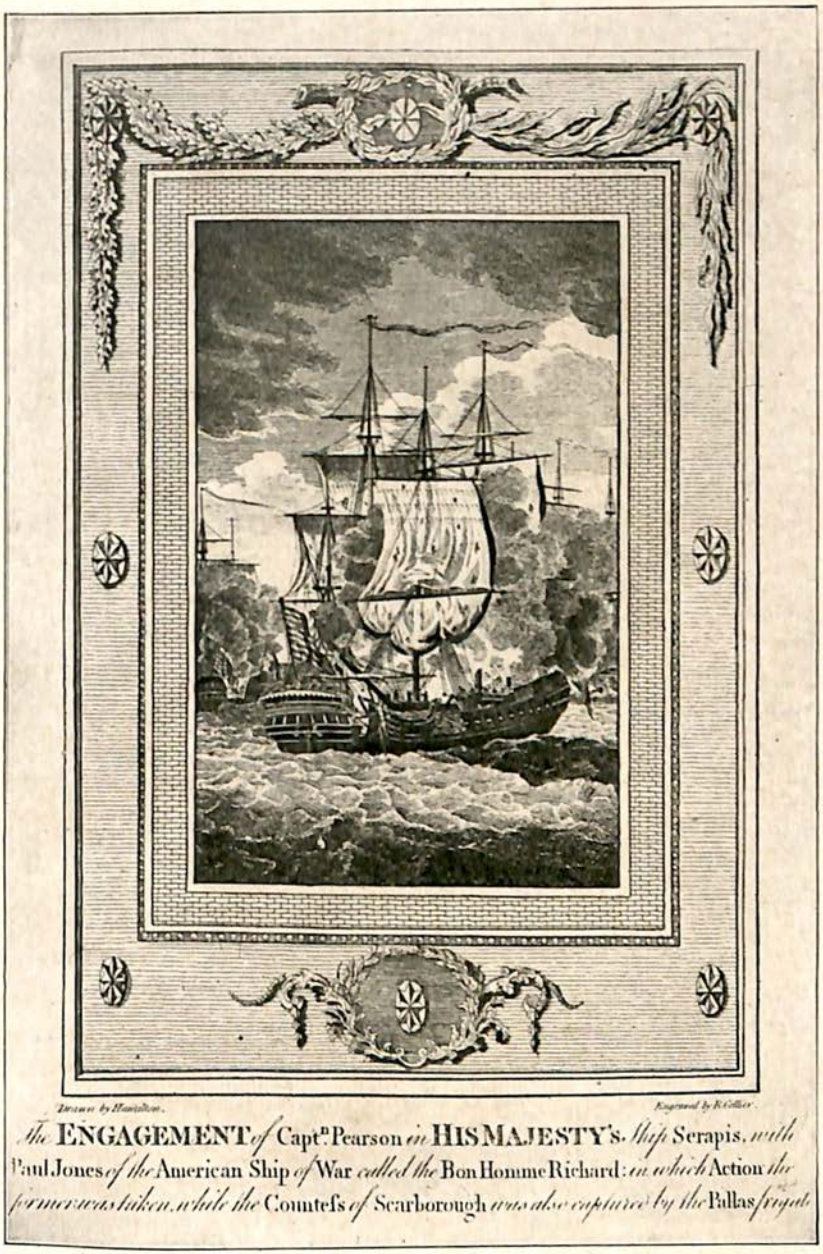
On the morning of that day, the 23d, the brig from Holland not being in sight, we chased a brigantine that appeared laying to, to windward. About noon, we saw and chased a large ship that appeared coming round Flamborough Head, from the northward, and at the same time I manned and armed one of the pilot boats to send in pursuit of the brigantine, which now appeared to be the vessel that I had forced ashore. Soon after this, a fleet of forty-one sail appeared off Flamborough Head, bearing N.N.E. This induced me to abandon the single ship which had then anchored in Burlington Bay; I also called back the pilot boat, and hoisted a signal for a general chase. When the fleet discovered us bearing down, all the merchant ships crowded sail towards the shore. The two ships of war that protected the fleet at the same time steered from the land, and made the disposition for battle. In approaching the enemy, I crowded every possible sail, and made the signal for the line of battle, to which the Alliance showed no at-


John Paul Jones
Commodore au Service des Etats-Unis de l'Amérique
tel qu'il etoit dans le combat du 23. 7bre 1779. contre le Commodore Pearson.
Son Vaisseau le bon homme Richard montoit 40. canons. Le Vaisseau Anglois le
Serapis 44. avoit encore l'avantage du calibre, et la legereté. Le Comod. P. Jones
par sa manoeuvre engagea le Beaupré de l'ennemi et s'empara du Serapis en le
combattant bord à bord pendant 2. heures 3/4. l'action dura 3 h 1/2. Le Bon homme
Richard coula le lendemain.

JOHN PAUL JONES
(From an old French print)

tention. Earnest as I was for the action, I could not reach the commodore's ship until seven in the evening, being then within pistol shot, when he hailed the Bon Homme Richard. We answered him by firing a whole broadside.

The battle, being thus begun, was continued with unremitting fury. Every method was practised on both sides to gain an advantage, and rake each other; and I must confess that the enemy's ship, being much more manageable than the Bon Homme Richard, gained thereby several times an advantageous situation, in spite of my best endeavours to prevent it. As I had to deal with an enemy of greatly superior force, I was under the necessity of closing with him, to prevent the advantage which he had over me in point of manœuvre. It was my intention to lay the Bon Homme Richard athwart the enemy's bow; but as that operation required great dexterity in the management of both sails and helm, and some of our braces being shot away, it did not exactly succeed to my wish. The enemy's bowsprit, however, came over the Bon Homme Richard's poop by the mizen-mast, and I made both ships fast together in that situation, which, by the action of the wind on the enemy's sails, forced her stern close to the Bon Homme Richard's bow, so that the ships lay square alongside of each other, the yards being all entangled, and the cannon of each ship touching the opponent's. When this position took place, it was eight o'clock, previous to which the Bon Homme Richard had received sundry eighteen-pound shots below the water, and leaked very much. My battery of twelve-pounders, on which I had placed my chief dependence, being commanded by Lieutenant Dale and Colonel Weibert, and manned principally with American seamen and French volunteers, was entirely silenced and abandoned. As to the six old eighteen-pounders that formed the battery of the lower gun-deck, they did no service whatever, except


Drawn by Hamilton.
Engraved by R. Sellers.
The ENGAGEMENT of Captn Pearson in HIS MAJESTY's Ship Serapis, with Paul Jones of the American Ship of War called the Bon Homme Richard: in which Action the former was taken, while the Countess of Scarborough was also captured by the Pallas frigate

THE FIGHT BETWEEN THE "BON HOMME RICHARD" AND THE "SERAPIS"
(From an old print)

firing eight shot in all. Two out of three of them burst at the first fire, and killed almost all the men who were stationed to manage them. Before this time, too, Colonel de Chamillard, who commanded a party of 20 soldiers on the poop, had abandoned that station after having lost some of his men. I had now only two pieces of cannon (nine-pounders) on the quarter-deck, that were not silenced, and not one of the heavier cannon was fired during the rest of the action. The purser, M. Mease, who commanded the guns on the quarter-deck, being dangerously wounded in the head, I was obliged to fill his place, and with great difficulty rallied a few men, and shifted over one of the lee quarter-deck guns, so that we afterwards played three pieces of nine-pounders upon the enemy. The tops alone seconded the fire of this little battery, and held out bravely during the whole of the action, especially the main-top, where Lieutenant Stack commanded. I directed the fire of one of the three cannon against the main-mast, with double-headed shot, while the other two were exceedingly well served with grape and canister shot to silence the enemy's musketry, and clear her decks, which was at last effected. The enemy were, as I have since understood, on the instant of calling for quarter, when the cowardice or treachery of three of my under-officers induced them to call to the enemy. The English commodore asked me if I demanded quarters, and I having answered him in the most determined negative, they renewed the battle with double fury. They were unable to stand the deck; but the fire of their cannon, especially the lower battery, which was entirely formed of ten-pounders, was incessant; both ships were set on fire in various places, and the scene was dreadful beyond the reach of language. To account for the timidity of my three under-officers,—I mean, the gunner, the carpenter, and the master-at-arms, I must observe, that the two first were slightly wounded, and, as the ship

had received various shots under water, and one of the pumps being shot away, the carpenter expressed his fears that she would sink, and the other two concluded that she was sinking, which occasioned the gunner to run aft on the poop, without my knowledge, to strike the colours. Fortunately for me, a cannon ball had done that before, carrying away the ensign-staff; he was therefore reduced to the necessity of sinking, as he supposed, or of calling for quarter, and he preferred the latter.

All this time the Bon Homme Richard had sustained the action alone, and the enemy, though much superior in force, would have been very glad to have got clear, as appears by their own acknowledgments, and by their having let go an anchor the instant I laid them on board, by which means they would have escaped, had I not made them well fast to the Bon Homme Richard.

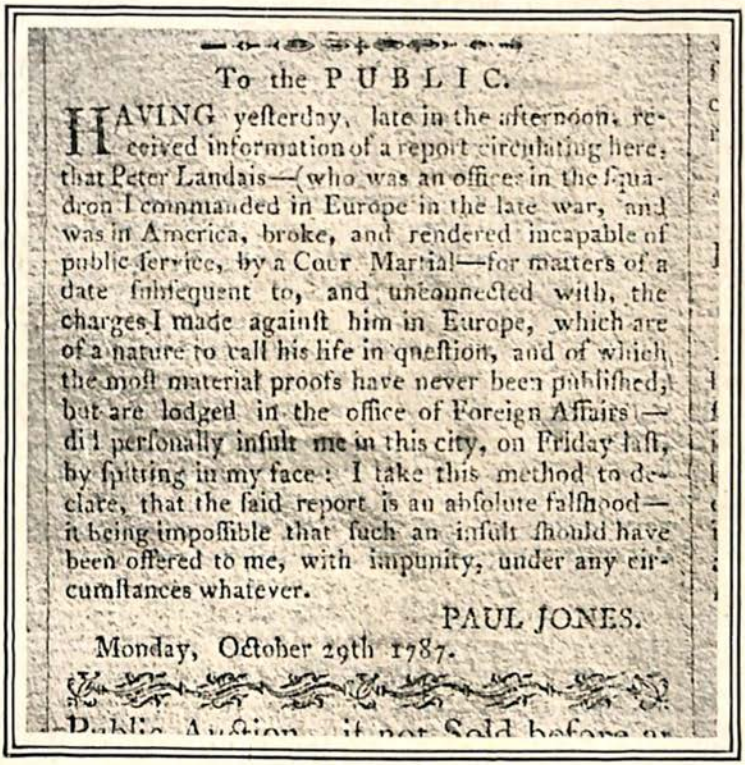
At last, at half past nine o'clock, the Alliance appeared, and I now thought the battle at an end; but, to my utter astonishment, he discharged a broadside full into the stern of the Bon Homme Richard. We called to him for God's sake to forbear firing into the Bon Homme Richard; yet they passed along the off side of the ship, and continued firing. There was no possibility of his mistaking the enemy's ship for the Bon Homme Richard, there being the most essential difference in their appearance and construction, besides, it was then full moon light, and the sides of the Bon Homme Richard were all black, while the sides of the prizes were all yellow. Yet, for the greater security, I showed the signal of our reconnoissance, by putting out three lanterns, one at the head, another at the stern, and the third in the middle, in a horizontal line. Every tongue cried that he was firing into the wrong ship, but nothing availed; he passed round, firing into the Bon Homme Richard's head, stern, and broadside, and by one of his volleys killed several of my best men, and

mortally wounded a good officer on the forecastle only. My situation was really deplorable; the Bon Homme Richard received various shot under water from the Alliance; the leak gained on the pumps, and the fire increased much on board both ships. Some officers persuaded me to strike, of whose courage and good sense I entertain a high opinion. My treacherous master-at-arms let loose all my prisoners without my knowledge, and my prospects became gloomy indeed. I would not, however, give up the point. The enemy's main-mast began to shake, their firing decreased fast, ours rather increased, and the British colours were struck at half an hour past ten o'clock.

CAPT. RICHARD PEARSON, COMMANDER OF THE "SERAPIS"

This prize proved to be the British ship of war the Serapis, a new ship of forty-four guns, built on the most approved construction, with two complete batteries, one of them of eighteen-pounders, and commanded by the brave Commodore Richard Pearson. I had yet two enemies to encounter, far more formidable than the Britons, I mean, fire and water. The Serapis was attacked only by the first, but the Bon Homme Richard was assailed by both; there was five feet water in the

hold, and though it was moderate from the explosion of so much gunpowder, yet the three pumps that remained could with difficulty only keep the water from gaining. The fire broke out in various parts of the ship, in spite of all the water that could be thrown in



To the PUBLIC.

HAVING yesterday, late in the afternoon, received information of a report circulating here, that Peter Landais—(who was an officer in the squadron I commanded in Europe in the late war, and was in America, broke, and rendered incapable of public service, by a Court Martial—for matters of a date subsequent to, and unconnected with, the charges I made against him in Europe, which are of a nature to call his life in question, and of which the most material proofs have never been published, but are lodged in the office of Foreign Affairs)—did personally insult me in this city, on Friday last, by spitting in my face: I take this method to declare, that the said report is an absolute falsehood—it being impossible that such an insult should have been offered to me, with impunity, under any circumstances whatever.

PAUL JONES.

Monday, October 29th 1787.

CARD OF PAUL JONES PUBLISHED IN "NEW YORK PACKET"
(From files of New York Historical Society)

to quench it, and at length broke out as low as the powder magazine, and within a few inches of the powder. In that dilemma, I took out the powder upon the deck, ready to be thrown overboard at the last extremity, and it was ten o'clock the next day, the 24th, before the fire was entirely extinguished. With respect to the situa-

tion of the Bon Homme Richard, the rudder was cut entirely off, the stern frame and transoms were almost entirely cut away, and the timbers, by the lower deck especially from the main-mast towards the stern, being greatly decayed with age, were mangled beyond my power of description, and a person must have been an eye witness to form a just idea of the tremendous scene of carnage, wreck, and ruin which everywhere appeared. Humanity cannot but recoil from the prospect of such finished horror, and lament that war should be capable of producing such fatal consequences.

After the carpenters, as well at Captain Cottineus and other men of sense, had well examined and surveyed the ship (which was not finished before five in the evening), I found every person to be convinced that it was impossible to keep the Bon Homme Richard afloat so as to reach a port, if the wind should increase, it being then only a very moderate breeze. I had but little time to remove my wounded, which now became unavoidable, and which was effected in the course of the night and next morning. I was determined to keep the Bon Homme Richard afloat, and, if possible, to bring her into port. For that purpose, the first lieutenant of the Pallas continued on board with a party of men to attend the pumps, with boats in waiting ready to take them on board, in case the water should gain on them too fast. The wind augmented in the night, and the next day, on the 25th, so that it was impossible to prevent the good old ship from sinking. They did not abandon her till after nine o'clock; the water was then up to the lower deck, and a little after ten I saw, with inexpressible grief, the last glimpse of the Bon Homme Richard. No lives were lost with the ship, but it was impossible to save the stores of any sort whatever. I lost even the best part of my clothes, books, and papers; and several of my officers lost all their clothes and effects.

Major André's Letter to Washington, 1780

After his arrest and the seizure of his papers, André wrote the following letter to Washington, acknowledging his identity and explaining his conduct. Text from Sparks's "Writings of George Washington," Vol. VII., Boston, 1855, pp. 531–532. (See page 140.)

Salem 24, September, 1780.

Sir,

What I have as yet said concerning myself was in the justifiable attempt to be extricated; I am too little accustomed to duplicity to have succeeded.

I beg your Excellency will be persuaded that no alteration in the temper of my mind, or apprehension for my safety, induces me to take the step of addressing you, but that it is to rescue myself from an imputation of having assumed a mean character for treacherous purposes or self-interest; a conduct incompatible with the principles that actuate me, as well as with my condition in life.

It is to vindicate my fame that I speak, and not to solicit security.

The person in your possession is Major John André, adjutant-general to the British army.

The influence of one commander in the army of his adversary is an advantage taken in war. A correspondence for this purpose I held; as confidential (in the present instance) with his Excellency Sir Henry Clinton.

To favor it, I agreed to meet, upon ground not within the posts of either army, a person who was to give me intelligence; I came up in the Vulture man of war for this effect, and was fetched by a boat from the ship to the beach. Being there, I was told that the approach of day would prevent my return, and that I

WASHINGTON'S HEADQUARTERS AT TAPPAN, NEW YORK
(On October 2, 1780, Major André was hanged at Tappan as a British Spy)

must be concealed until the next night. I was in my regimentals, and had fairly risked my person.

Against my stipulation, my intention, and without my knowledge beforehand, I was conducted within one of your posts. Your Excellency may conceive my sensation on this occasion, and must imagine how much more must I have been affected by a refusal to reconduct me back the next night as I had been brought. Thus become a prisoner, I had to concert my escape. I quitted my uniform, and was passed another way in the night, without the American posts, to neutral ground, and informed I was beyond all armed parties, and left to press for New York. I was taken at Tarrytown by some volunteers.

Thus, as I have had the honor to relate, was I betrayed

(being adjutant-general of the British army) into the vile condition of an enemy in disguise within your posts.

Having avowed myself a British officer, I have nothing to reveal but what relates to myself, which is true on the honor of an officer and a gentleman.

The request I have to make to your Excellency, and I am conscious I address myself well, is, that in any

MAJOR JOHN ANDRÉ

(From an engraving by G. K. Sherwin after a painting by himself)

rigor policy may dictate, a decency of conduct toward me may mark, that though unfortunate I am branded with nothing dishonorable, as no motive could be mine but the service of my King, and as I was involuntarily an impostor.

Another request is, that I may be permitted to write an open letter to Sir Henry Clinton, and another to a friend for clothes and linen.

I take the liberty to mention the condition of some gentlemen at Charleston, who, being either on parole or under protection, were engaged in a conspiracy against us. Though their situation is not similar, they are objects who may be set in exchange for me, or are persons whom the treatment I receive might affect.

It is no less, Sir, in a confidence of the generosity of your mind, than on account of your superior station, that I have chosen to importune you with this letter.

I have the honor to be, with great respect, Sir, your Excellency's most obedient humble servant,

JOHN ANDRE, *Adjutant-general.*

Cornwallis's Surrender at Yorktown, 1781

The following is the full text of the articles of capitulation signed at Yorktown on October 19, 1781. Text from Sparks's "Writings of George Washington," Vol. VIII., Appendix pages 533-536. (See page 157.)

Articles of capitulation settled between his Excellency General Washington, commander-in-chief of the combined Forces of America and France; his Excellency the Count de Rochambeau, Lieutenant-General of the Armies of the King of France, Great Cross of the royal and military Order of St. Louis, commanding the auxiliary Troops of his Most Christian Majesty in America; and his Excellency the Count de Grasse, Lieutenant-General of the Naval Armies of his Most Christian Majesty, commander of the Order of St. Louis, commander-in-chief of the Naval Army of France in the Chesapeake on the one Part: and the Right Honorable Earl Cornwallis, Lieutenant-General of his Britannic Majesty's forces commanding the Garrisons of York and Gloucester; and Thomas Symonds, Esquire, commanding his Britannic Majesty's Naval Forces in York River, in Virginia, on the other Part.

Article 1. The garrisons of York & Gloucester, including the officers and seamen of his Britannic Majesty's ships, as well as other mariners, to surrender themselves prisoners of war to the combined forces of America and France. The land troops to remain prisoners to the

United States, the navy to the naval army of his Most Christian Majesty.

Granted.

Article R.—The artillery, arms, accoutrements, military chest, and public stores of every denomination, shall be delivered unimpaired to the heads of departments appointed to receive them.

Granted.

MARQUIS CORNWALLIS WHEN LORD-LIEUTENANT OF IRELAND IN 1798

Article R.—At twelve o'clock this day the two redoubts on the left flank of York to be delivered, the one to a detachment of American infantry, the other to a detachment of French grenadiers.

Granted.

The garrison of York will march out to a place to be appointed in front of the posts, at two o'clock precisely, with shouldered arms, colors cased, and drums beating a British or German march. They are then to ground their arms, and return to their encampments, where they will remain until they are despatched to the places of their destination. Two works on the Gloucester side will be delivered at one o'clock to a detachment of French and American troops appointed to possess them. The garrison will march out at three o'clock in the afternoon; the cavalry with their swords drawn, trumpets sounding, and the infantry in the manner prescribed for the garrison of York. They are likewise to return to their encampments until they can be finally marched off.

Article R.—Officers are to retain their side-arms. Both officers and soldiers to keep their private property of every kind; and no part of their baggage or papers to be at any time subject to search or inspection. The baggage and papers of officers and soldiers taken during the siege to be likewise preserved for them.

Granted.

It is understood that any property obviously belonging to the inhabitants of these States, in the possession of the garrison, shall be subject to be reclaimed.

Article R.—The soldiers to be kept in Virginia, Maryland, or Pennsylvania, and as much by regiments as possible, and supplied with the same rations or provisions as are allowed to soldiers in the service of America. A field-officer from each nation, to wit, British, Anspach, and Hessian and other officers on parole, in the proportion of one to fifty men, to be allowed to reside near

THE SURRENDER OF CORNWALLIS AT YORKTOWN

(From a painting by Howard Pyle)

their respective regiments, to visit them frequently, and be witnesses of their treatment; and that their officers may receive and deliver clothing and other necessaries for them, for which passports are to be granted when applied for.

Granted.

Article R 6.—The general, staff and other officers not employed as mentioned in the articles, and who choose it, to be permitted to go on parole to Europe, to New York, or to any other American Maritime posts at present in the possession of the British forces, at their own option; and proper vessels to be granted by the Count de Grasse to carry them under flags of truce to New York within ten days from this date, if possible, and they to reside in a district to be agreed upon hereafter, until they embark.

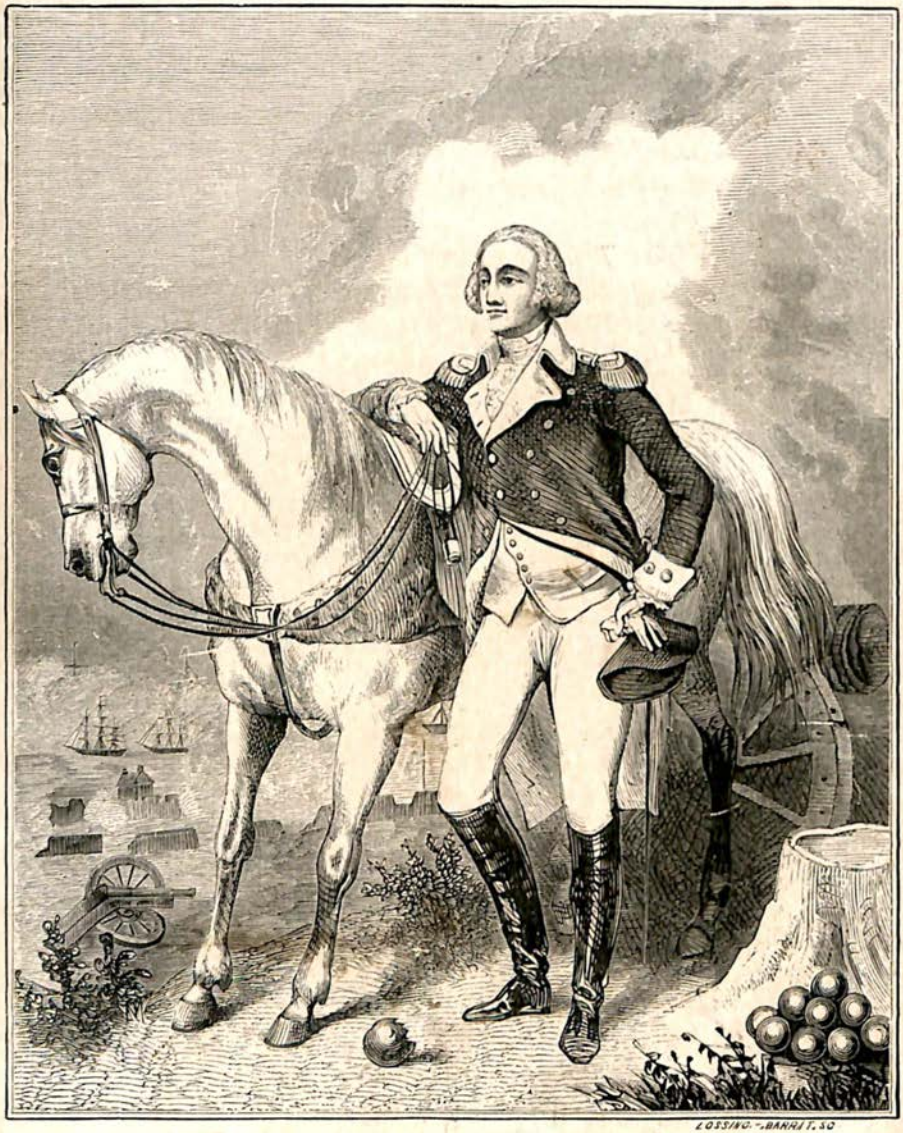
The officers of the civil department of the army and navy to be included in this article. Passports to go by land to be granted to those to whom vessels cannot be furnished.

Granted.

Article R.—Officers to be allowed to keep soldiers as servants, according to the common practice of the service. Servants, not soldiers, are not to be considered as prisoners, and are to be allowed to attend to their masters.

Granted.

Article R.—The sloop-of-war to be equipped, and navigated by its present captain and crew, and left entirely at the disposal of Lord Cornwallis from the hour that the capitulation is signed, to receive an aid-de-camp to carry despatches to Sir Henry Clinton; and such soldiers as he may think proper to send to New York, to be permitted to sail without examination. When his despatches are ready, his lordship engages on his part, that the ship shall be delivered to the order of the Count de Grasse, if she escapes the dangers of the sea. That



WASHINGTON AT YORKTOWN

(From the painting attributed by Lossing to George Washington Parke Custis)

she shall not carry off any public stores. Any part of the crew that may be deficient on her return, and the soldiers passengers, to be accounted for on her delivery.

Article R.—The traders are to preserve their property and to be allowed three months to dispose of or remove them; and those traders are not to be considered as prisoners of war.

The traders will be allowed to dispose of their effects, the allied army having the right of preemption. The traders to be considered as prisoners of war upon parole.

Article R.—Natives or inhabitants of different parts of this country, at present in York or Gloucester, are not to be punished on account of having joined the British army.

This article cannot be assented to, being altogether of civil resort.

Article R.—Proper hospitals to be furnished for the sick and wounded. They are to be attended by their own surgeons on parole; and they are to be furnished with medicines and stores from the American hospitals.

The hospital stores now at York and Gloucester shall be delivered for the use of the British sick and wounded. Passports will be granted for procuring them further supplies from New York, as occasion may require; and proper hospitals will be furnished for the reception of the sick and wounded of the two garrisons.

Article R.—Wagons to be furnished to carry the baggage of the officers attending the soldiers, and to surgeons when travelling on account of the sick, attending the hospitals at public expense.

They are to be furnished if possible.

Article R.—The shipping and boats in the two harbours, with all their stores, guns, tackling, and apparel, shall be delivered up in their present state to an officer of the navy appointed to take possession of them,

previously unloading the private property, part of which had been on board for security during the siege.

Granted.

Article R.—No article of capitulation to be infringed on pretence of reprisals; and if there be any doubtful expressions in it, they are to be interpreted according to the common meaning and acceptation of the words.

Granted.

Done at Yorktown in Virginia, October 19th, 1781.

CORNWALLIS,
THOMAS SYMONDS.

Done in the trenches before Yorktown, in Virginia, October 19th, 1781.

GEORGE WASHINGTON,
LE COMTE DE ROCHAMBEAU,
LE COMTE DE BARRAS, en mon nom & celui du Comte de Grasse.

THE END OF VOLUME IV

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